Dec. 14, 1968

THE NEW YORKER

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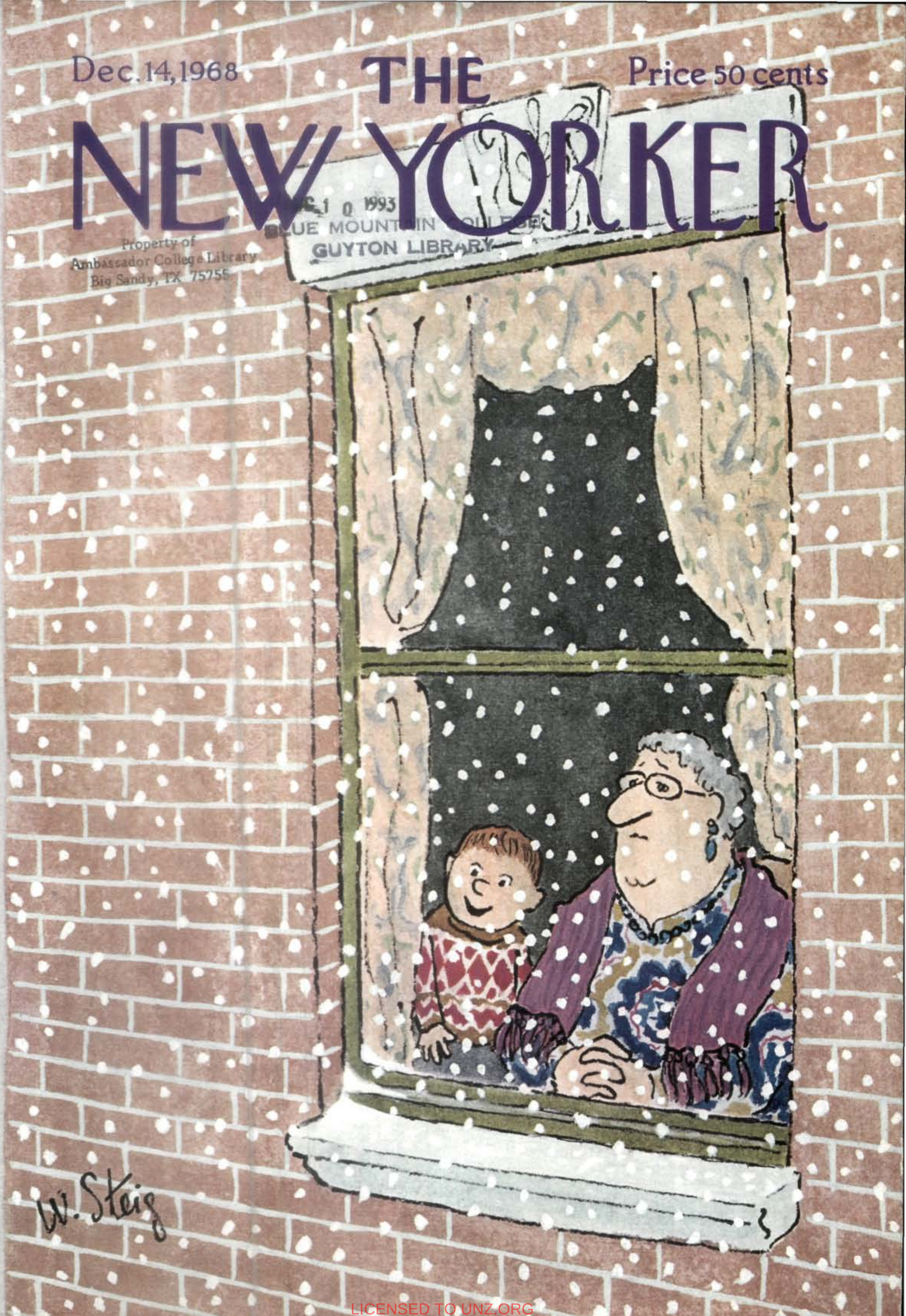

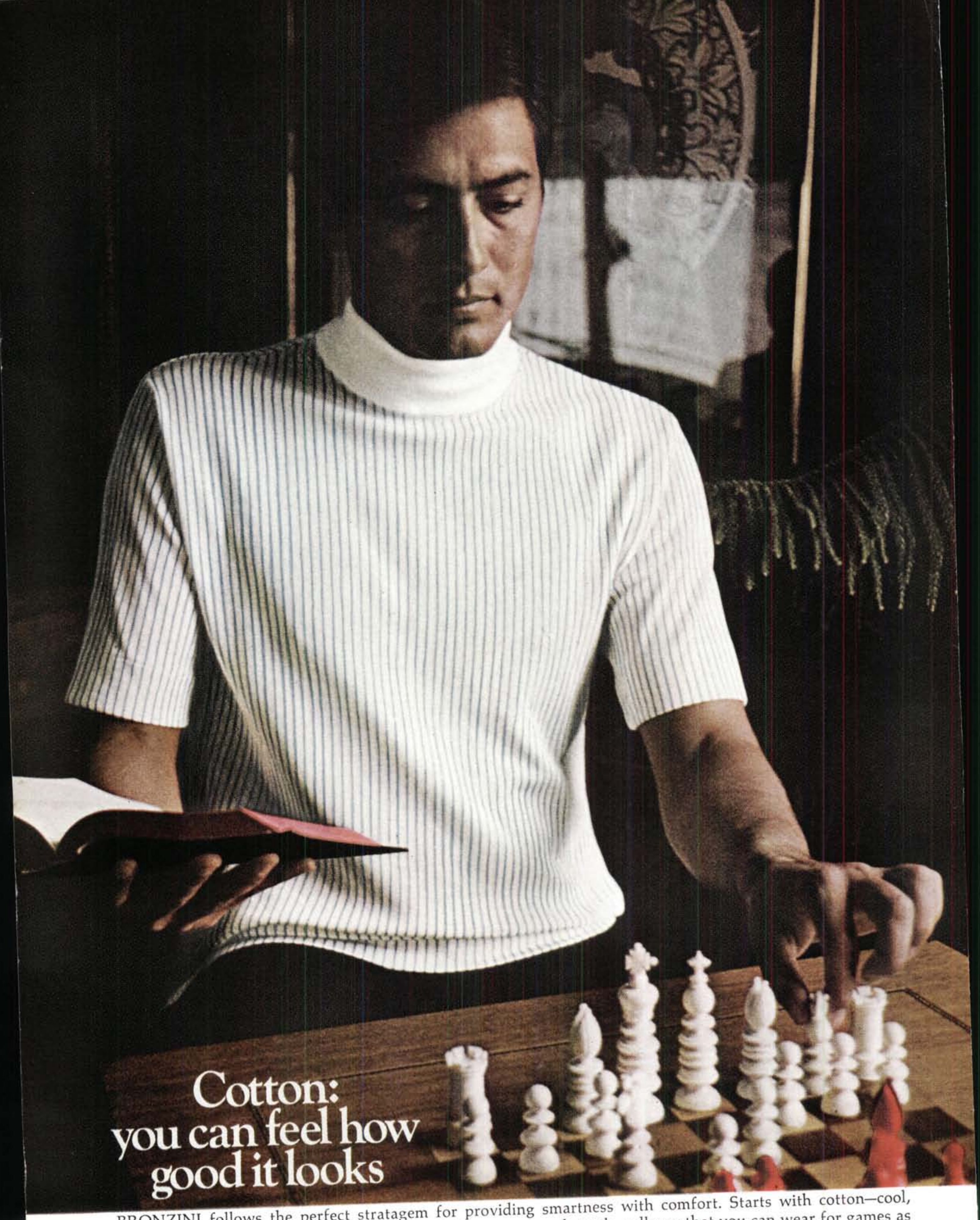

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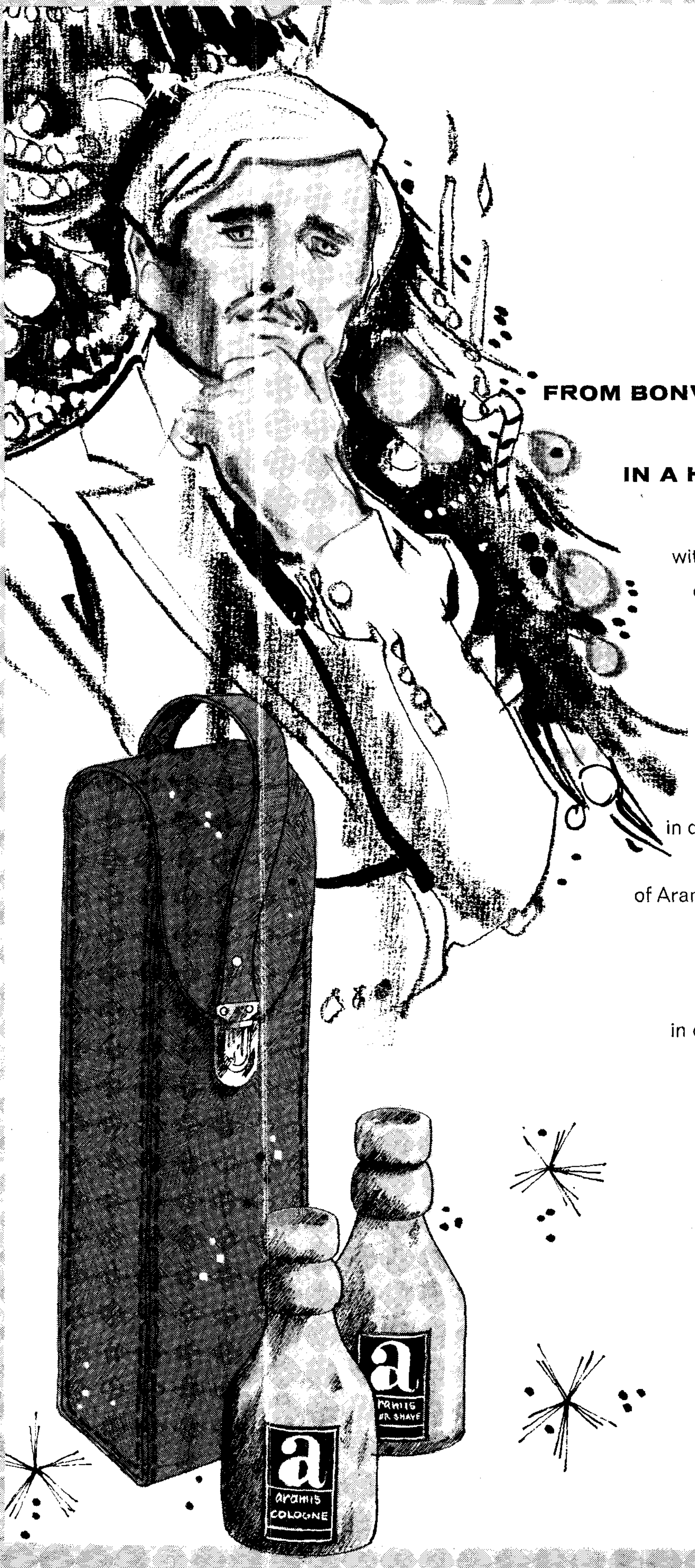

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BONWIT
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TELLER

GOINGS ON ABOUT TOWN

THE THEATRE

(E. and W. mean East and West of Broadway.)

PLAYS

Americana Pastoral—A play by Yabo Yablonsky. (Greenwich Mews, 141 W. 13th St. 243-6800. Mondays through Thursdays, and Sundays, at 8:30, and Saturdays at 7 and 10. Matinées Sundays at 3.)

APA Repertory Company—T.S. Eliot's **THE COCKTAIL PARTY**: Thursday, Dec. 12, at 8:30, and Wednesday, Dec. 18, at 2 and 8:30. . . . ¶ Molière's **THE MISANTHROPE** (Richard Wilbur's adaptation): Friday, Dec. 13, at 8:30; Saturday, Dec. 14, at 2:30 and 8:30; Monday and Tuesday, Dec. 16-17, and Friday, Dec. 20, all at 8:30; and Saturday, Dec. 21, at 2:30 and 8:30. (Lyceum, 45th St., E. JU 2-3877.)

The Autograph Hound—The collective title of a double bill by James Prideaux. Preview Thursday, Dec. 12. Opens officially on Friday, Dec. 13, at 7:15. (Jan Hus, 351 E. 74th St. LE 5-6310. Tuesdays through Fridays at 8:40; Saturdays at 7 and 10; and Sundays at 8. Matinées Sundays at 4.)

Big Time Buck White—A play by Joseph Dolan Tuotti. (Village South Theatre, 15 Vandam St. 989-7736. Tuesdays through Fridays at 8:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

The Boys in the Band—A comedy, which curdles into misery and venom, about a birthday party at which the host and at least seven of his eight guests are homosexuals. The play, honest and often effective, is the first by Mart Crowley. The performances by all concerned, under Robert Moore's direction, are flawless. (Theatre Four, 424 W. 55th St. 246-8545. Tuesdays through Fridays at 8:40; Saturdays at 7 and 10:30; and Sundays at 7:30. Matinées Sundays at 3.)

The Fourth Wall—A program of improvisations and set comedy routines, some of which come off quite well. The company (of five) is young, bright, and relatively new to show business. (Theatre East, 211 E. 60th St. TE 8-0177. Wednesdays and Thursdays at 8:40; Fridays and Saturdays at 8 and 10:30; and Sundays at 8. Matinées Sundays at 3.)

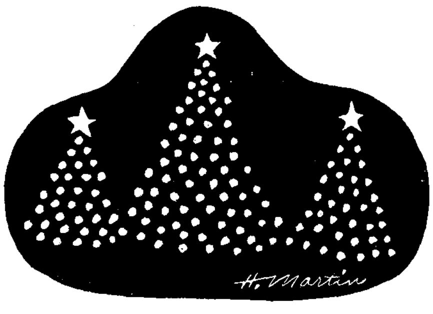
Futz!—Rochelle Owens' farce about a farmer whose love affair with his pig totally demoralizes his rustic neighbors. (Actors Playhouse, 100 Seventh Ave. S., at Sheridan Sq. OR 5-1036. Tuesdays through Fridays at 8:40; Saturdays at 8 and 10; and Sundays at 8. Matinées Sundays at 3.)

The Great White Hope—A long, loud whoop of a play, wonderfully acted by James Earl Jones. A huge cast is required to tell this sad tale of the betrayal of a good black prizefighter by many white villains. Howard Sackler is the author and Edwin Sherin is the adroit director. (Alvin, 52nd St., W. 757-8646. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

Huui, Huui—A dreary synthetic about the woes of an extremely neurotic young man. In the leading role, Barry Primus at least prevents the bogus hero from becoming a bore, and Margaret Linn and Sharon Laughlin do well, too, as a pair of ladies in his life. (Public, 425 Lafayette St. 677-6350. Tuesdays through Fridays at 8:30; Saturdays at 9; and Sundays at 7:30. Matinées Saturdays at 5 and Sundays at 3. Closes Sunday, Dec. 29.)

Jimmy Shine—Dustin Hoffman in the title role is the main reason for going to see this skimpy little comedy by Murray Schisgal. (Brooks Atkinson, 47th St., W. 245-3430. Nightly, except Sundays, at 8:40. Matinées Wednesdays at 2 and Saturdays at 2:40.)

The Man in the Glass Booth—Robert Shaw has taken the Eichmann case out of history and into melodrama, and it makes for an exciting if preposterous couple of hours. Donald Pleasence acts his tireless head off in the only part that matters. (Royale, 45th St., W. 245-5760. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)



A CONSCIENTIOUS CALENDAR OF EVENTS OF INTEREST

S	M	T	W	T	F	S
				12	13	14
15	16	17	18	19	20	21

Minnesota Theatre Company—A three-week repertory of "The House of Atreus," adapted by John Lewin from the "Oresteia" of Aeschylus and directed by Tyrone Guthrie, and Bertolt Brecht's "The Resistible Rise of Arturo Ui," translated by George Tabori and directed by Edward Payson Call. **THE HOUSE OF ATREUS**: Previews Thursday and Friday, Dec. 12-13, at 8; Saturday, Dec. 14, at 2 and 8; and Sunday, Dec. 15, at 8. Opens officially on Tuesday, Dec. 17, at 6:15. Additional performance Wednesday, Dec. 18, at 8. . . . **THE RESISTIBLE RISE OF ARTURO UI**: Previews Thursday and Friday, Dec. 19-20, at 8:30, and Saturday, Dec. 21, at 2 and 8:30. Opening on Sunday, Dec. 22. (Billy Rose, 41st St., W. 947-5510.)

Morning, Noon, and Night—Three one-act plays that, despite being admirably acted, end up seeming like Amateur Night on Broadway. (Henry Miller, 43rd St., E. 279-3970. Nightly, except Sundays, at 8:40. Matinées Wednesdays at 2 and Saturdays at 2:40.)

Repertory Theatre of Lincoln Center—William Gibson's **A CRY OF PLAYERS**, with Anne Bancroft and Frank Langella: Thursday through Saturday, Dec. 12-14, at 8; Sunday, Dec. 15, at 7:30; Tuesday and Wednesday, Dec. 17-18, at 8; and Saturday, Dec. 21, at 2. . . . Shakespeare's **KING LEAR**, with Lee J. Cobb: Saturday and Sunday, Dec. 14-15, at 2, and Thursday through Saturday, Dec. 19-21, at 8. (Vivian Beaumont, 150 W. 65th St. 362-7616.) . . . ¶ At the Forum (362-7618) in the same building—Charles Dizenzo's **AN EVENING FOR MERLIN FINCH**: Previews Thursday through Saturday, Dec. 12-14, at 8; Sunday, Dec. 15, at 7:30; Tuesday and Wednesday, Dec. 17-18, at 8; and Saturday, Dec. 21, at 2. Opening on Thursday, Dec. 26. . . . John White's **BANANAS**: Saturday and Sunday, Dec. 14-15, at 2, and Thursday through Saturday, Dec. 19-21, at 8.

The Sudden and Accidental Re-education of Horse Johnson—A comedy by Douglas Taylor, with Jack Klugman, Kathleen Maguire, and Mitchell Ryan. George Morrison is the director. Previews through Tuesday, Dec. 17. Opens officially on Wednesday, Dec. 18. (Belasco, 44th St., E. 586-7950. Nightly, except Sundays, at 8:40; opening-night curtain at 7:20. Matinées Wednesdays at 2 and Saturdays at 2:40.)

Sweet Eros and **Witness**—A pair of satiric and sporadically effective one-acters by Terrence McNally. The first amounts to the monologue of a self-designated poet delivered to a young woman he has kidnapped, stripped, and tied up. In the second, another young nut, this one with assassination in mind, plays host to a small assortment of people, among them a loquacious window-washer. The company does well. Robert Drivas and Joe Ponazecki are very good as the two young men, and James Coco is truly funny as the window-washer. (Gramercy Arts, 138 E. 27th St. OR 9-7665. Tuesdays through Fridays at 8:40; Saturdays at 7:30 and 10:15; and Sundays at 7:30. Matinées Sundays at 3.)

Tea Party and **The Basement**—The components of these fascinating one-act entries by Harold Pinter are, as should be expected, threat, suspicion, mischief, and wildly original comedy. Good performances by John Tillinger, David Ford, Valerie French, and June Emery. (Eastside Playhouse, 334 E. 74th St. UN 1-2288. Tuesdays through Fridays at 8:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 2:30.)

Trainer, Dean, Liepolt, and Company—Plays by David Trainer, Phillip Dean, and Werner Liepolt. Season subscribers only. Membership performances start Thursday, Dec. 12, and will run through Saturday, Jan. 18. (American Place, 423 W. 46th St. 247-0393. Mondays at 7 and Tuesdays through Saturdays at 8. Matinées Saturdays at 2.)

We Bombed in New Haven—Joseph Heller's attempt at an anti-war play, unwisely aping such of his betters as Pirandello and Brecht. With Jason Robards and Diana Sands. (Ambassador, 49th St., W. 265-1855. Tuesdays through Saturdays at 8:40. Matinées Wednesdays at 2, Saturdays at 2:40, and Sundays at 3. Closes Sunday, Dec. 29.)

Long Runs—**PLAZA SUITE**: Three conjoined one-act comedies by Neil Simon. Maureen Stapleton and E. G. Marshall have the leading roles. (Plymouth, 45th St., W. 246-9156. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.) . . . **THE PRICE**: Arthur Miller's sombre study of family envy. Albert Salmi, Shepperd Strudwick, and Kate Reid compose the family, and David Burns is a funny old outsider. (46th Street Theatre, 46th St., W. 246-4271. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.) . . . **THE PRIME OF MISS JEAN BRODIE**: Muriel Spark's short novel turned into a play by Jay Allen, with Zoe Caldwell in the principal role. (Helen Hayes, 46th St., W. 246-6380. Nightly at 8:40. Matinée Saturday at 2:40. Closes Saturday, Dec. 14.) . . . **SCUBA DUBA**: Bruce Jay Friedman's first play is about an American in the South of France whose wife has run off with, he thinks, a Negro skin diver. (New Theatre, 154 E. 54th St. PL 2-0440. Tuesdays through Fridays, and Sundays, at 8:30, and Saturdays at 7 and 10:30. Matinées Sundays at 3.) . . . **YOU KNOW I CAN'T HEAR YOU WHEN THE WATER'S RUNNING**: Four plays by Robert Anderson. Sex is generally the focus. With Eddie Bracken, Mi-

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Wilson
A great year — for Arpège
Lord & Taylor

GOINGS ON ABOUT TOWN

chaele Myers, and Robert Elston. (Lunt-Fontanne, 46th St., W. 586-5555. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

MUSICALS

Ballad for a Firing Squad—A musical with a book by Jerome Coopersmith, music by Edward Thomas, and lyrics by Martin Charnin. (Theatre de Lys, 121 Christopher St. WA 4-8782. Tuesdays through Fridays at 8:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

The Believers—The history of the Negro in the United States in singing, dancing, and acting, as set forth by a choral group that calls itself Voices, Inc. The singing is beautiful, and the acting and dancing are more than adequate. The result is a spirited and deeply affecting evening in the theatre. (Martinique, Broadway at 32nd St. 736-3056. Tuesdays through Fridays at 8:30, and Saturdays at 7 and 10. Matinées Wednesdays at 2:30 and Sundays at 3.)

Carnival!—A four-week holiday revival presented by the City Center Light Opera Company, with Leon Bibb, Victoria Mallory, Pierre Olaf, Karen Morrow, and Richard France. Opens Thursday, Dec. 12, and will run through Sunday, Jan. 5. (City Center, 131 W. 55th St. CI 6-8989. Nightly, except Mondays, at 8; opening-night curtain at 7. Matinées Saturdays and Sundays at 2:30.)

George M!—An opulently staged account of the life of a Broadway performer and songwriter whom many people admired but practically nobody liked. Joel Grey makes George M. Cohan appealing by remaining Joel Grey. (Palace, Broadway at 47th St. 757-2626. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

Hair—A host of hirsute young folk hell-bent on knocking you for a psychedelic loop, and they do, they do. (Biltmore, 47th St., W. 582-5340. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

How to Steal an Election—This cheerful little revue about politics aims at satire and misses, but it provides some entertainment along the way. Oscar Brand's songs are especially bright. (Pocket, 100 Third Ave., at 13th St. YU 2-0115. Tuesdays through Fridays at 8:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

Maggie Flynn—A drearily old-fashioned musical that purports to be based on the Civil War draft riots here. With Shirley Jones and Jack Cassidy. (ANTA Theatre, 52nd St., W. 246-6270. Tuesdays through Saturdays at 8:30. Matinées Wednesdays at 2, Saturdays at 2:30, and Sundays at 3.)

The Megilla of Itzik Manger—A tiny Israeli affair, conducted largely in Yiddish. (Golden, 45th St., W. 246-6740. Wednesdays through Saturdays at 8:30. Matinées Wednesdays at 2, Saturdays at 2:30, and Sundays at 2 and 5. Closes Sunday, Jan. 5.)

Promises, Promises—Jerry Orbach, Jill O'Hara, and many others in a marvellous musical with book by Neil Simon and music and lyrics by Burt Bacharach and Hal David. (Shubert, 44th St., W. 246-5990. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

Zorba—An amiable musical starring Herschel Bernardi and Maria Karnilova. "Zorba the Greek" was a popular novel and then a popular movie, so the musical can offer few surprises, but in a musical who needs surprises? The tidy, pleasant music and lyrics are by John Kander and Fred Ebb, respectively, who did "Cabaret." (Imperial, 45th St., W. 265-2412. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)

Long Runs—**JACQUES BREL IS ALIVE AND WELL AND LIVING IN PARIS:** A musical put together from the works of M. Brel by Eric Blau and Mort Shuman, who also did the English lyrics. (Village Gate, 160 Bleecker St. 982-5020. Tuesdays through Thursdays at 8:30; Fridays at 7:45; Saturdays at 7; and Sundays at 8. Matinées Saturdays and Sundays at 3.)... **CABARET:** How things went in Germany shortly before the Nazis took over. Lotte Lenya and George Voskovec. (Broadway Theatre, Broadway at 53rd St. 247-7992. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)... **CURLEY MCDIMPLE:** A lampoon of musical movies of the nineteen-thirties. (Bert Wheeler, 250 W. 43rd St. 524-2323. Wednesdays through Saturdays at 8:30, and Sundays at 7. Matinées Wednesdays, Saturdays, and Sundays at 3.) ... **THE FANTASTICKS:** Tous droits de reproduction, de traduction, et d'adaptation réservés pour tous pays y compris la Russie. (Sullivan Street Playhouse, 181 Sullivan St., at Bleecker St. 674-3838. Tuesdays through Fridays, and Sundays, at 8:40, and Saturdays at 7 and 9:45. Matinées Sundays at 3.)... **FIDDLER ON THE ROOF:** Harry Goz in a musical based on Sholom Aleichem's folk tales. (Majestic, 44th St., W. 246-0730. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)... **GOLDEN RAINBOW:** Steve Lawrence and Eydie Gorme in a musical about Las Vegas and the tiresome, raucous types that frequent it. (George Abbott, 54th St., E. JU 6-3787. Tuesdays through Saturdays at 8:30. Matinées Wednesdays at 2, Saturdays at 2:30, and Sundays at 3.)... **HELLO, DOLLY!:** Now with an all-Negro cast headed by Pearl Bailey and Cab Calloway. (St. James, 44th St., W. 695-5858. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30. After Saturday, Dec. 14, no performances until Monday, Dec. 23.)... **MAME:** Jane Morgan plays Auntie in the musical version of Patrick Dennis's novel. (Winter Garden, Broadway at 50th St. 245-4878. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)... **MAN OF LA MANCHA:** Dale Wasserman's adaptation of "Don Quixote," with music by Mitch Leigh. Robert Wright plays the title role; David Holliday substitutes for him at the matinée performances. (Martin Beck, 45th St., W. 246-6363. Nightly, except Sundays, at 8:30. Matinées Wednesdays at 2 and Saturdays at 2:30.)... **YOU'RE A GOOD MAN, CHARLIE BROWN:** "Peanuts" turned into a musical. (Theatre 80 St. Marks, 80 St. Marks Pl. 254-7400. Tuesdays through Fridays at 9; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.)... **YOUR OWN THING:** As this rock musical goes its merry way, its path often crosses that of Shakespeare's "Twelfth Night." (Orpheum, Second Ave. at 8th St. 982-6410. Tuesdays through Fridays at 8:40; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

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BALLET AND DANCE PROGRAMS

New York City Ballet—Performances of **THE NUTCRACKER** are being presented through Tuesday, Dec. 31. (New York State Theatre, Lincoln Center. TR 7-4727. Thursday and Friday, Dec. 12-13, at 6:15; Saturday, Dec. 14, at 2:15 and 8:15; Sunday, Dec. 15, at 1:15 and 5:15; Tuesday through Friday, Dec. 17-20, at 6:15; and Saturday, Dec. 21, at 2:15 and 8:15. Through Sunday, Feb. 16.)

American Ballet Theatre—"Swan Lake": Thursday and Friday, Dec. 12-13, at 8:30; Saturday, Dec. 14, at 2:30 and 8:30; and Sunday, Dec. 15, at 1:30 and 7:30.... ¶ Tuesday, Dec. 17, at 8:30: "Pulcinella Variations" and "Giselle."... ¶ Wednesday, Dec. 18, at 2:30: "Gartenfest," "Billy the Kid," and "Etudes." ... ¶ Wednesday, Dec. 18, at 8:30: "Gartenfest" (official première), "Miss Julie," and "Etudes."... ¶ Friday, Dec. 20, at 8:30: "Danses Concertantes," "Miss Julie," and "Theme and Variations."... ¶ Saturday, Dec. 21, at 2:30: "Les Sylphides," "Billy the Kid," and "Concerto."... ¶ Saturday, Dec. 21, at 8:30: "Pulcinella Variations," "Pillar of Fire," and "Flower Festival Pas de Deux." (Brooklyn Academy of Music, 30 Lafayette Ave. ST 3-2434. Through Sunday, Jan. 5.)

Mario Maya—With his Spanish dance company. (Kaufmann Concert Hall, Y.M.H.A., Lexington Ave. at 92nd St. FI 8-1500. Sunday, Dec. 15, at 8:30.)

NIGHT LIFE

(A highly arbitrary listing of places around town where you might pass a pleasant hour or two.)

MOSTLY FOR MUSIC

(No dancing, and no formal dining, either, unless indicated.)

Bitter End, 147 Bleecker St. (475-7804)—Coffee and tea in enormous vessels, and entertainment that's above the mean. Folk singer Tom Paxton leads the current show, which begins at about nine-thirty. Tuesdays are something else again—visitors come bearing instruments.

Café Au Go Go, 152 Bleecker St. (777-4530)—An underground coffeehouse that is tenebrous and sometimes significant. A succession of different singers, instrumentalists, and composers will provide the music until Friday, Dec. 20, when Tim Hardin arrives. Shows at eight and eleven-thirty. Closed Mondays.

Casey's, 142 W. 10th St. (989-8925)—Candlelight and brick walls, and dining amid mirrors. Some fairly advanced jazz sounds from eleven until one, generally on piano and bass. No music Sundays.

Half Note, 289 Hudson St., at Spring St. (AL 5-9752)—Down among the warehouses, where it's just about all that's happening. Not much to look at, but nice to know: A bandstand, a dance floor, some Italian dishes, and music by the Roy Eldridge-Richie Kamuca quintet. Closed Mondays.

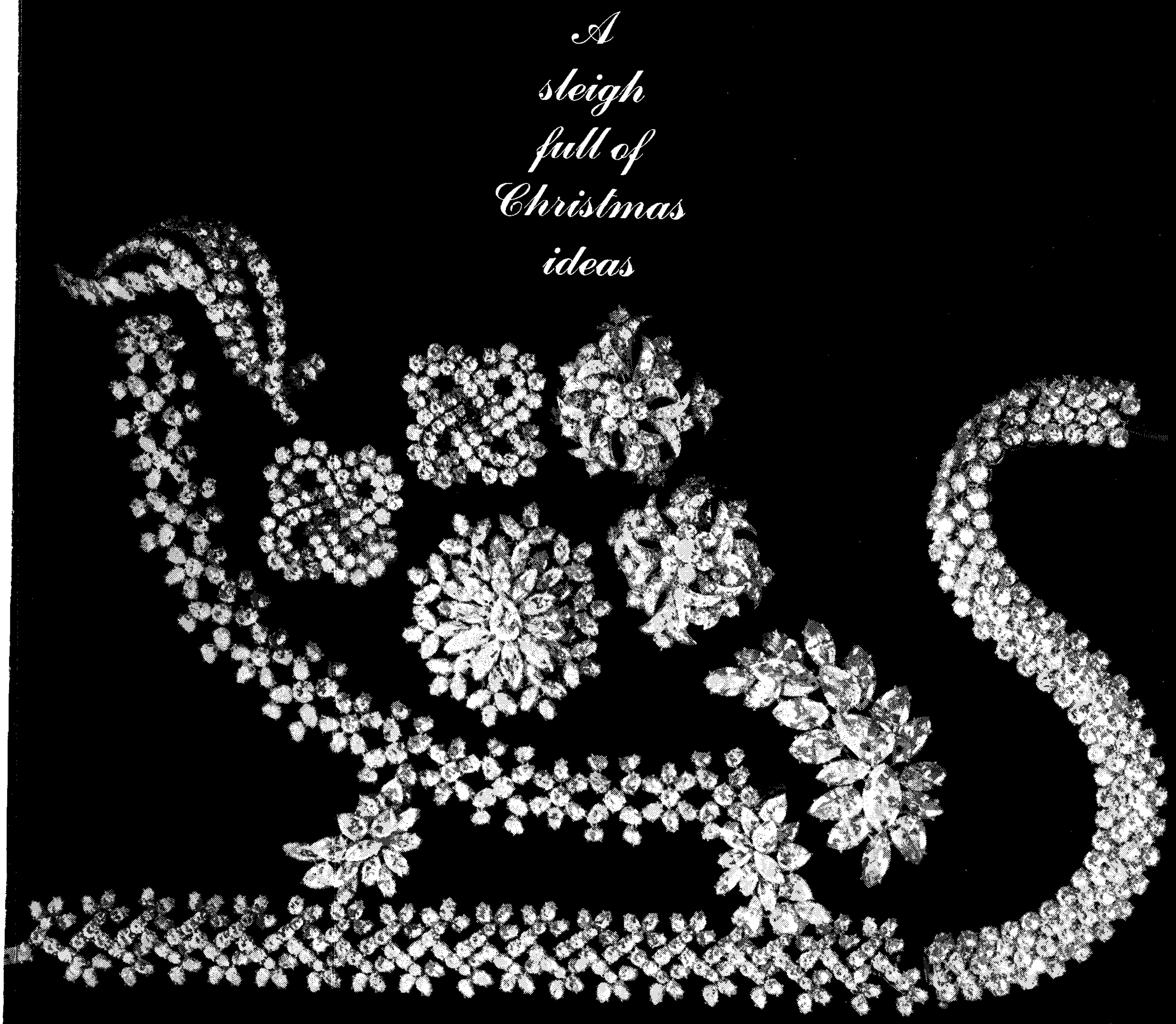
Jimmy Ryan's, 154 W. 54th St. (CO 5-9505)—If you should hanker after the traditional, this is about the only local Dixieland headquarters left. There's nothing extraordinary about the bar, but the music—played currently by Max Kaminsky, Tony Parenti, Bob Pratt, Freddy Moore, and Marshall Brown—is forthright. Nine-thirty to three every night but Sunday.

Red Garter, 15 W. 4th St., which is *east* of Washington Square. (982-4270)—A big red fire engine, peanut shells on the floor, and ricky-tick banjo music summon up the plinking eighteen-nineties, or whatever. Now and then, antique movies are shown. Tuesdays are referred to as ladies' nights. Closed Mondays.

Red Onion, 1586 Second Ave., at 82nd St. (RH 4-9682)—Two banjos and a piano every night from nine to three or four. Also peanuts, boaters, garters, and prefabricated nostalgia. A fine how-do-you-do.

Slugs', 242 E. 3rd St. (677-9727)—It's dim, shadowy, and nondescript, and so are its environs. Jazz every night from nine-thirty until closing by the Harold Vick quintet. Mondays, from nine-thirty to four, are one-night stands for various jazz groups. On Tuesday, Dec. 17, the Jackie McLean quintet will move in. Early-evening specials, from five to nine: Saturday, Dec. 14, a sextet that involves trombonists Curtis Fuller, Grachan Moncur, and Julian Priester; Sunday, Dec. 15, the Frank Foster concert ensemble.

Village Gate, 160 Bleecker St. (GR 5-5120)—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GOINGS ON ABOUT TOWN

Entertainment on two levels. Upstairs, the Ahmad Jamal trio alternates with Toshiko's solo piano, for drinking and dining. On Mondays, when the regular performers are off, new talent is auditioned. . . . ¶ Downstairs: Friday and Saturday, Dec. 13-14, the Modern Jazz Quartet, singer Arthur Prysock, and comic Slappy White. Friday and Saturday, Dec. 20-21, the M.J.Q. and Mr. Prysock. (Shows from ten on Fridays and from nine-thirty on Saturdays.) Mondays, starting at eight-thirty, are mixed bags of soul and rock performers.

Village Vanguard, 178 Seventh Ave. S., at 11th St. (CH 2-9355)—A wedge-shaped room where jazz has a tendency to thrive. At eight-thirty every night but Monday, the DMZ, a political cabaret with Brechtian overtones, precedes the music. Tuesdays through Sundays, beginning at about ten, the Bill Evans trio makes some intricate, generally pleasant sounds. On Thursday, Friday, and Saturday, Dec. 12-14, and on Friday and Saturday, Dec. 20-21, singer Novella Nelson will also be around. Mondays are reserved for the big Thad Jones-Mel Lewis band.

West Boondock, 114 Tenth Ave., at 17th St. (924-9723)—Boondock is right: it's practically in the North River, in a pretty desolate part of town. Sawdust-covered floors, conviviality, and substantial amounts of what is known as soul food. Quiet jazz on piano and bass from eight-thirty to two by Nat Jones and Herman Wright (Monday through Wednesday) and by Lance Hayward and Bill Lee (Thursday through Sunday).

Your Father's Mustache, Seventh Ave. S. at 10th St. (OR 5-4630)—Banjos shake and washboards scrape and the gang whoops it up till the cows come home (i.e., from nine till two or three). On Sundays, things start oscillating at four-thirty and keep going till the cows, etc. It's dandy.

DISCOTHÈQUES AND SUCH

(No dining, unless indicated.)

Arthur, 154 E. 54th St. (688-4420)—Eager folk immersed in imagery scurry inside and slip into seats at tiny tables, then slip out again to dance while other folk goggle. The loud sound of live rock groups alternates with loud recorded rock, from nine to three or four. Some food is served. Closed Mondays.

Aux Puces, 70 E. 55th St. (688-2920)—An ornate *boîte*. Fake palms cast shadows on upholstered balustrades, and the furnishings, many of which are for sale, provide a kind of Louis XV-Riemenschneider-Chippendale-rococo effect. The records are occasionally arcane, and the clientele looks satisfied. Dancing from ten to three or four. Dining. Closed Sundays.

Directoire, 160 E. 48th St. (758-9570)—A reasonably successful attempt to summon up the years IV to VIII, when Carnot and his associates were trying to govern France. The décor is on the elegant side, and dinner and supper are served. Dancing, on a tiny dance floor, to an idiosyncratic assortment of records, from ten to three or four. Closed Sundays.

Electric Circus, upstairs at 23 St. Marks Pl. (777-7080)—It comes in colors everywhere, it combs its hair, it's like a rainbow. Flashing, whirling, pulsing, slamming, the whole big place is a hippodromish carnival, and those who enter seldom leave without having had an experience. Quill and rock records take turns over a good system. On Friday and Saturday, Dec. 13-14, Neon will be part of the scene, too, and on Tuesday, Dec. 17, Rookhope Rhyde will relieve Quill. The dancing runs from nine to two Tuesdays through Thursdays, as well as Sundays, and from eight to four Fridays and Saturdays. Closed Mondays. Alcohol? No.

L'Interdit, in the Gotham Hotel, 2 W. 55th St. (CI 7-2200)—One of the oldest discothèques in existence, with an air that suits its age. The restrained recorded music runs from nine to three or four. Dim lights disclose well-dressed people dancing and dining. On weekends, reservations are recommended for tables (none needed at the bar). Closed Sundays.

Salvation Too, 30 Central Park S. (PL 2-4365)—High up (by day it's a restaurant called the Penthouse Club) and filled with sleek-looking people, this is a place to spend an hour or so either gazing at the view—which is superb—or merging with the shaking, strobe-lighted scene. Snacks. Dancing to records from ten to three or four every night.

S	M	T	W	T	F	S
				12	13	14
15	16	17	18	19	20	21

Shepheard's, in the Drake Hotel, Park Ave. at 56th St. (HA 1-0900)—Cairo, with its grand old Shepheard's, is the general idea, but nobody is really sure. Beneath, through, and around the extravagant architectural devices, the recorded music swells. Some of it is fast, some is slow, and all of it is controlled by a voluble disc jockey. Between record sets, an octet known as the Cal Roberts Swingers plays and sings. The dining is substantial. Closed Sundays.

Wednesday's, 210 E. 86th St. (535-8500)—A pseudo-street where you can dance (from seven to three or four) or patronize a bar, a cheese shop, a fishmonger's, a gimcrack shop, and several other real establishments. The music is solid discothèque stuff.

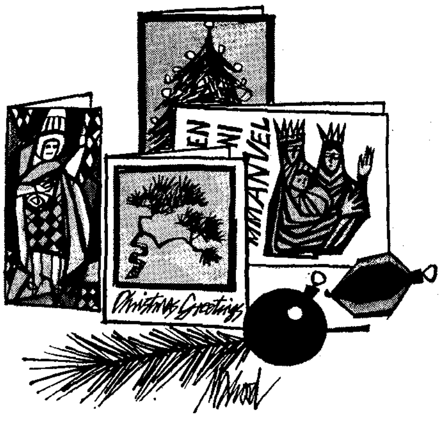
Wheels, 1591 Second Ave., at 82nd St. (879-3777)—Dancing is the main thing here, despite the rotary devices (Harley-Davidson, Schwinn, La Salle—you name it) on the walls. The crowd knows how to swing, and the records reverb. When the records don't, the Elephant's Memory does. On Tuesday, Dec. 17, the Pumpkins will replace the E.M. Closed Mondays.

Yellowfinger's, 200 E. 60th St. (752-0980)—It's in the vaults—below a crêpe-and-shish-kebab establishment of the same name—and it's generally considered to be a hip place. The records rarely fall below the tempo of "Revolution," and the dance floor is alive from nine-thirty to three-thirty. Reservations are suggested on weekends. Paisley walls forever.

OTHER DANCING

(Dining, too, unless noted.)

EL MOROCCO, 307 E. 54th St. (PL 2-2960): It's still royal old Marrakech, but you won't know everybody within the walls of the Medina anymore. The music comes not from the African Moors, or even the Yorkshire Moors, but from Manhattan, and some of it flows out of a gramophone. Closed Sundays. . . . **PIERRE,** Fifth Ave. at 61st St. (TE 8-8000): The count is Yale 27, Slippery Rock Teachers 2 every night, to the tunes of Phil Wayne's band on Monday and Tuesday, Stanley Worth's the rest of the time in the Café Pierre, where, on the Worth evenings, Ellen Harwicke contributes neat song and piano, too. . . . **DELMONICO'S,** Park Ave. at 59th St. (EL 5-2500): When slow motion in this city seems a necessity, the restaurant here is always ready to second that motion, even while Ernie Warren's cheery crew of music-makers functions, which it usually does from eight until one or two. No music Sundays and Mondays, though. . . . **THE RIVERBOAT,** Fifth Ave. at 34th St., in the Empire State Building. (759-2444): That old sweet chariot does not swing especially low when Count Basie's band is in the driver's seat. His men begin at eight, other music begins at six-thirty, and Marlena Shaw sings along with the Basies. No noise Sunday nights, however. . . . **ROSELAND DANCE CITY,** 239 W. 52nd St. (247-0200): Plain as day, this décor, but there is a floor the size of a six-day bike race (not permitted, along with anything resembling equal-but-separate dances like the Monkey et al.), permanent dance music, and a modicum of sustenance. Seven-thirty until around one during most of the week; Sundays, starting time is three-thirty. A triad of bands, the leading (and most Latin) of which is Argueso's, disport themselves. Closed Mondays.



CABARETS

(No dancing, and no formal dining, either, unless indicated.)

Downstairs at the Upstairs, 37 W. 56th St. (JU 2-1244)—Man's inhumanity to Jackie Vernon is the topic of the evening, and Exhibit A is wistful (and voluble) Mr. V. On Monday, Dec. 16, Bert Convy, late of "Cabaret," will join the cast. The piping he offers is done on his own vocal cords. Ten is the usual starting time, but it's nine-thirty Fridays and Saturdays.

El Avram, 80 Grove St., at Sheridan Sq. (243-9661)—A meeting of minds and mimes, all of them Mediterranean—Greek, Israeli, Armenian. Yoel Sharr and Avram Grobard are the moderators, George Mgrdichian is chief oudist, Yakov Uriel serves as Gabriel's trumpet, and a solemn female turns the *danse de ventre* into a form of ceremony. The dining is native without being naïve. Dancing. Closed Mondays.

Upstairs at the Downstairs, 37 W. 56th St. (JU 2-1244)—"Instant Replay," the local mini-revue, can't quite make up its mind: when it's good, it's very, very good, and when it's bad, it's . . . Except on Sunday, it is done twice a night, beginning at nine-thirty.

BIG DEALS

(Dinner, dancing, and a show.)

Americana, Seventh Ave. at 52nd St. (LT 1-1000)—Persona grata and queen of the sonata—that's Ella Fitzgerald, the dinner and supper illumination of the Royal Box. Tommy Flanagan's crew goes hand in hand with Lee Evans' dance band to make her every appearance a Royal Boxing Day. Closed Sundays.

Château Madrid, Lexington Ave. at 48th St. (752-8080)—The light, fantastic cavalry of José Greco, a dozen strong, is in possession of the Andalusian hacienda. Seven nights a week is the plan. . . . ¶ In the Flamenco Room, a tiny theatre in the round, fervent demonstrations of the off-beat Spanish handclap and flight-of-the-bumblebee Spanish song go on until all hours, and every night.

Copacabana, 10 E. 60th St. (758-0900)—The voice of Ray Charles raises itself above nearly all others in its moments of exaltation and exultation; it must also raise itself above a floor show of Mr. Bones antecedents. On Thursday, Dec. 19, he gives way to Martha Reeves and the Vandellas (a whoop and a holler), and to Davie Frye, a wit considerably above par. . . . ¶ It seems always to be larkiest just before dawn in the street-level lounge, though the night people and the night music begin as early as ten.

Plaza, Fifth Ave. at 59th St. (PL 9-3000)—Gloria Loring, a soprano new to night life, finishes her dinner and supper stints in the Persian Room on Tuesday, Dec. 17. Next evening, at ten, the squadron entitled Hines, Hines & Dad will present their first collection of songs, dances, and fuzzy sayings. Thereafter, they will show up at both dinner and supper. The orchestras of Burt Farber and Mark Monte will go right on with their invitations to the dance. Closed Sundays. . . . **PLAZA 9—AND ALL THAT JAZZ** is the nicely gilded cage in which Dizzy Gillespie, a free bird and a rare one, has set up his fevered band for exhibition purposes. Mousie Alexander's triad does the surprisingly calm dance music. Proceedings commence at eight. As for the menu, dinner is served full tilt, but supper is sandwich time. Closed Mondays. . . . ¶ There is music (alive, alive-o) from four-thirty to six-thirty in the Palm Court, and again from seven to nine (except Sundays) in the Ed-

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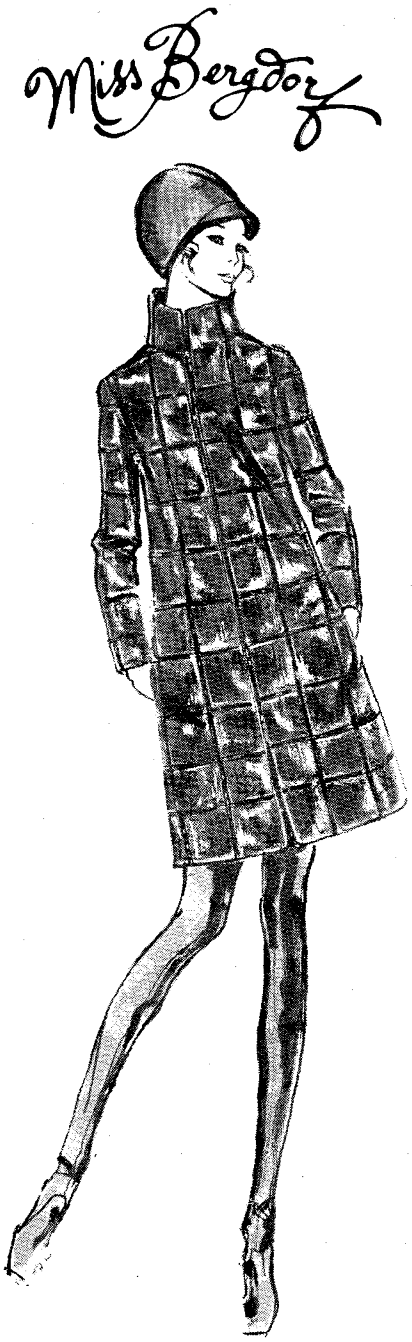

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wardian Room; this is mainly the fiddle plied by Sandu Marcu. . . . ¶ At eight, the Palm Court becomes the most beautiful of all Manhattan's architectural follies when lavender begins to suffuse the statuary and, except on Sundays, violin and piano begin a pleasant conversation. From Tuesday through Saturday, the violin belongs to Gunnar Hansen, majordomo of this hall.

Rainbow Grill, 30 Rockefeller Plaza. (PL 7-8970)—The New Christy Minstrels are not quite the classicists that the Trapp Family are, but their Sound of Music wears a young and joyous mien. Dance music commences at seven; the Minstrels sing at nine-thirty and twelve-thirty in general, and at eight-thirty and eleven Sundays.

St. Regis-Sheraton, Fifth Ave. at 55th St. (PL 3-4500)—Wynne Miller, the current sprig of holly in the Maisonette, finishes her dinner and supper sets of arias on Saturday, Dec. 14. On Monday, Dec. 16, Dick Kallman, another newcomer, begins singing on the same schedule. The orchestras of Quintero and George Cort will continue to take up every bit of the rest of the evening. Closed Sundays. . . . ¶ Across the way lies La Boite, where the only sound is Ernest Schoen addressing his Viennese violin and Jules Kuti addressing his Viennese piano. Closed Sundays.

Waldorf-Astoria, Park Ave. at 49th St. (EL 5-3000)—Saturday, Dec. 14, is the last night before the winter sabbatical of the Empire Room and all that in it are—Anna Maria Alberghetti's soprano, the orchestra of Charles Turecamo, and the rock group christened the Redells. Miss A. shows up at ten during the week, at nine-fifteen and twelve-fifteen Friday and Saturday. . . . ¶ Peacock Alley affords dancing Tuesdays through Saturdays from eight to one or one-thirty along with dinner and supper, plus piano on its own from four to eight Mondays through Fridays.

SMALL AND BOUNCY

(Dining but no dancing, except as indicated.)

Goldie's New York, 244 E. 53rd St. (PL 9-7245): First in the hearts of his country-club men is Louis Golson Hawkins, who runs his in-town country club with aplomb, éclat, and single and double piano, his teammate being the redoubtable Wayne Sanders. From dusk until early morn is the idea, and nobody works Sundays. . . . **Café Carlyle**, Madison Ave. at 76th St. (RH 4-1600): Fine-drawn (almost *fin de siècle*) and dandy. The dandy is Bobby Short, declaiming those special songs about the *vita* that may be *breve* but is also extremely *dolce*. He begins at eight-thirty, and he and his two sidemen (the beamish Beverly Peer and Dick Sheridan) run on until two. Closed Sundays. . . . **Drake Room**, 71 E. 56th St. (HA 1-0900): Sobriety that is nevertheless affectionate, society that is affluent. The piano of Dick Hankinson is audible most of the time between six and one every evening but Sunday. . . . **Jamaica Arms**, 1315 Second Ave., at 69th St. (YU 8-5850): West India's coral strand. The comber of the beach speaks fluent calypso. His beat is dinner until after the theatre. Closed Sundays; no music Mondays. . . . **Chucks' Composite**, 303 E. 53rd St. (EL 5-8825): Night after night, you can see the stagecoach coming through Generation Gap on its way to Young City. Dan Ruskin's piano may sometimes be mildly rose-colored, but it has many ideas of its own. No music Sundays. . . . **The Apartment**, 1068 Second Ave., at 56th St. (PL 3-7923): Second Avenue is so often Second Best, and so are its bars-and-grills, but this one has the virtue of offering Charles De Forest, whose tongue and piano keep in touch with the bittersweet ways of the lush life. He lays off Sundays. . . . **La Chansonnette**, 890 Second Ave., at 47th St. (PL 2-7320): As Circe sat on a rock, so Rita Dimitri sits on a piano in the middle of the dinner hour, delivering to her family-circle audience her Bal Tabarin ditties. Polite dance music starts rustling at eight. Fridays and Saturdays, Mlle. D. does a reprise at midnight. Closed Sundays and Mondays. . . . **Chardas**, 307 E. 79th St. (RH 4-9382): The Hungarians are an industrious race, fond of light wines, dancing, and music in perpetuity. Béla Babai's orchestra flavors the scene, and Tibor Rakossy is lord of the manor and lord of the tenors. Closed Mondays. . . . **Pier 52**, 144 W. 52nd St. (245-6652): From his crow's nest in the bar of this more than passing fair seascape, George Taylor, a night watchman of long standing, delivers song and piano from nine until two every evening but Sunday. . . . **Asti**, 13 E. 12th St. (AL 5-9773): Opera bouffe and opera bœuf à la mode, with the waiters standing not upon ceremony but upon cacophony, bellowing Italianate arias in the course of their nightly rounds. Closed Mondays. . . . **Grenadier**, 863 First Ave., at 48th St. (753-2960): The time of night is always Greenwich Mean. Just the same, Lynn Richards, who plies her piano and soprano Tuesday through Saturday every week, has the jovial sound of late-evening Manhattan. Nine until two is her plan of attack.

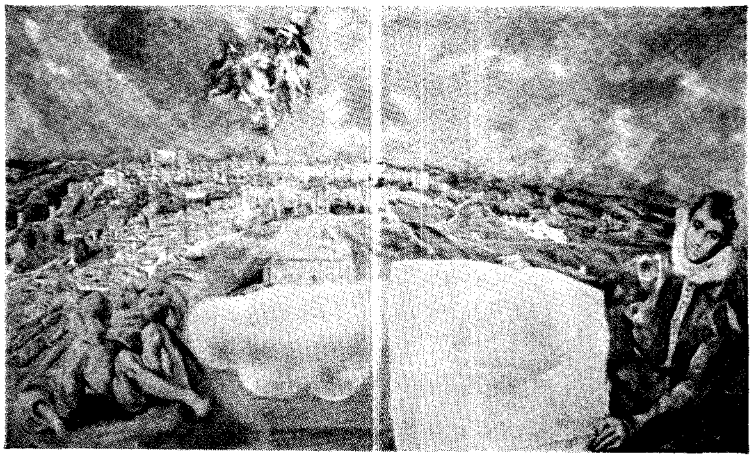
SMALL AND SERENE

(Dining, but no dancing.)

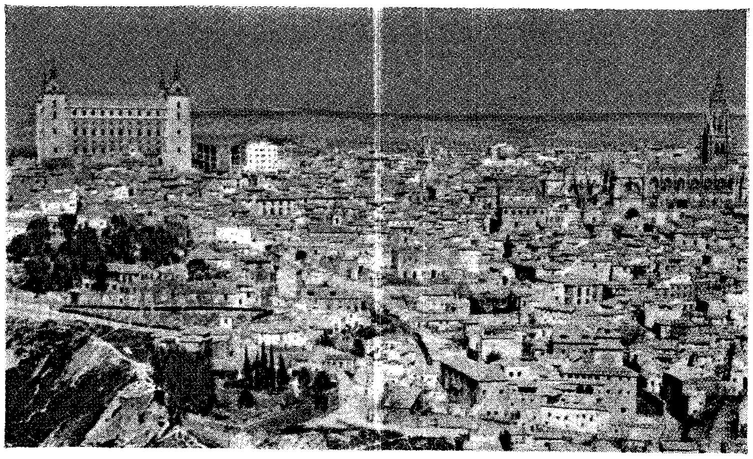
Château Henri IV, 37 E. 64th St. (RE 7-8818): Castles and kings, bishops and knights, but never a pawn. The principal knight-errant is Norbert Faconi, dean of the faculty of after-dark violinists, who makes his weapon serve the noble cause of Cupid. His week runs Tuesday through Saturday. Piano a cappella on Mondays, nothing at all on Sundays. . . . **Roma di Notte**, 1528 Second Ave., at 79th St. (RE 4-3443): Tiber, Tiber, burning bright/ Until very late at night—two, say. Until that hour, musicians and singers, who begin at seven-thirty, are on the move. Closed Sundays. . . . **Sign of the Dove**, 1110 Third Ave., at 65th St. (UN 1-8080): What was once an Edith Wharton town house has become a country place in the Alpi Marittime. In the bar, a folksy piano disports itself from six to midnight, except for Sundays. . . . **Salum Sanctorum**, 1112 Third Ave., at 65th St. (UN 1-9492): The upper half of the same town house, but worlds apart in every aspect. In one of the alcoves on display there is piano. Closed Sundays. . . . **Sherry-Netherland**, Fifth Ave. at 59th St. (EL 5-2800): Pomp and circumstantial evidence thereof—these are the characteristics of the bar-restaurant, in which there is piano from five until a bit after midnight every evening. . . . **Monsignore**, 61 E. 55th St. (EL 5-2070): The old Roman forum serves as a parade ground for Herman Honigsberg, who, diplomatically table-hopping, Stradivarius at the ready, is followed by an entourage of fellow-musicians. Closed Sundays. . . . **Café Renaissance**, 338 E. 49th St. (PL 1-3160): In an art gallery that is out on a mild spree, Rogelio Reguera and his guitar conduct an eclectic survey of Spain. From around eight to around one is the range of his evening's tour, and he gets Sundays off. . . . **La Ronde**, in the Americana, Seventh Ave. at 52nd St. (LT 1-1000): The acoustics here are greatly improved by Ray Hartley's piano. He operates from five-thirty until one, but takes Sundays and Mondays off. . . . **Rembrandt Room**, in the Stanhope Hotel, Fifth Ave. at 81st St. (BU 8-5800): There's enough panoply in this refectory to point up the fact that the Ring George Feyer's piano has in mind is Viennese, not Wagnerian. His conversation, though, is today, and political. Eight-thirty to one-thirty. Closed Sundays. . . . **Polo Bar**, in the Westbury Hotel, Madison Ave. at 69th St. (LE 5-2000): Field of the Cloth of Gold is the manner of the establishment, and mild is the manner of the piano (Joe Miles, author) that goes from nine-thirty until one, except Sundays and Mondays. . . . **Essex House**, 160 Central Park S. (CI 7-0300): The *grande plaisance* known as the Casino-on-the-Park has the piano, quite well educated, of Bob Kail between six-thirty and one, except Sundays and Mondays. . . . **Four Seasons**, 99 E. 52nd St. (PL 1-4300): The hall of the mountain kings and the grand panjandrums becomes a conservatory at ten, which is when Joel Shulman sits down, as though he had four hands, at his piano and electronic harpsichord. His effective music goes on until one, and he takes Saturdays and Sundays off. . . . **Umberto**, 13 E. 53rd St. (688-3344): This tribute, presumably, to Italy's final king, is architecturally a Royal Nonesuch, but an entertaining one. A troubadour known as Franco Pagani plies guitar and tenor from seven until midnight. Closed Sundays.

ART

(Unless otherwise noted, galleries are open weekdays from around 10 or 11 to between 5 and 6. . . . ¶ During the holiday season, many



Spain through the eyes of an artist.



Spain through the eye of a camera.

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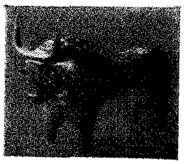

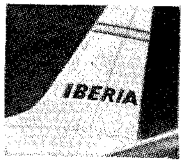

Painting: View and Plan of Toledo by El Greco at the El Greco Museum, Toledo, Spain. Photograph: A View of Toledo, by Oniera, S.O.F. Come to Spain on Iberia, the Air Line of Spain. See your Travel Agent.

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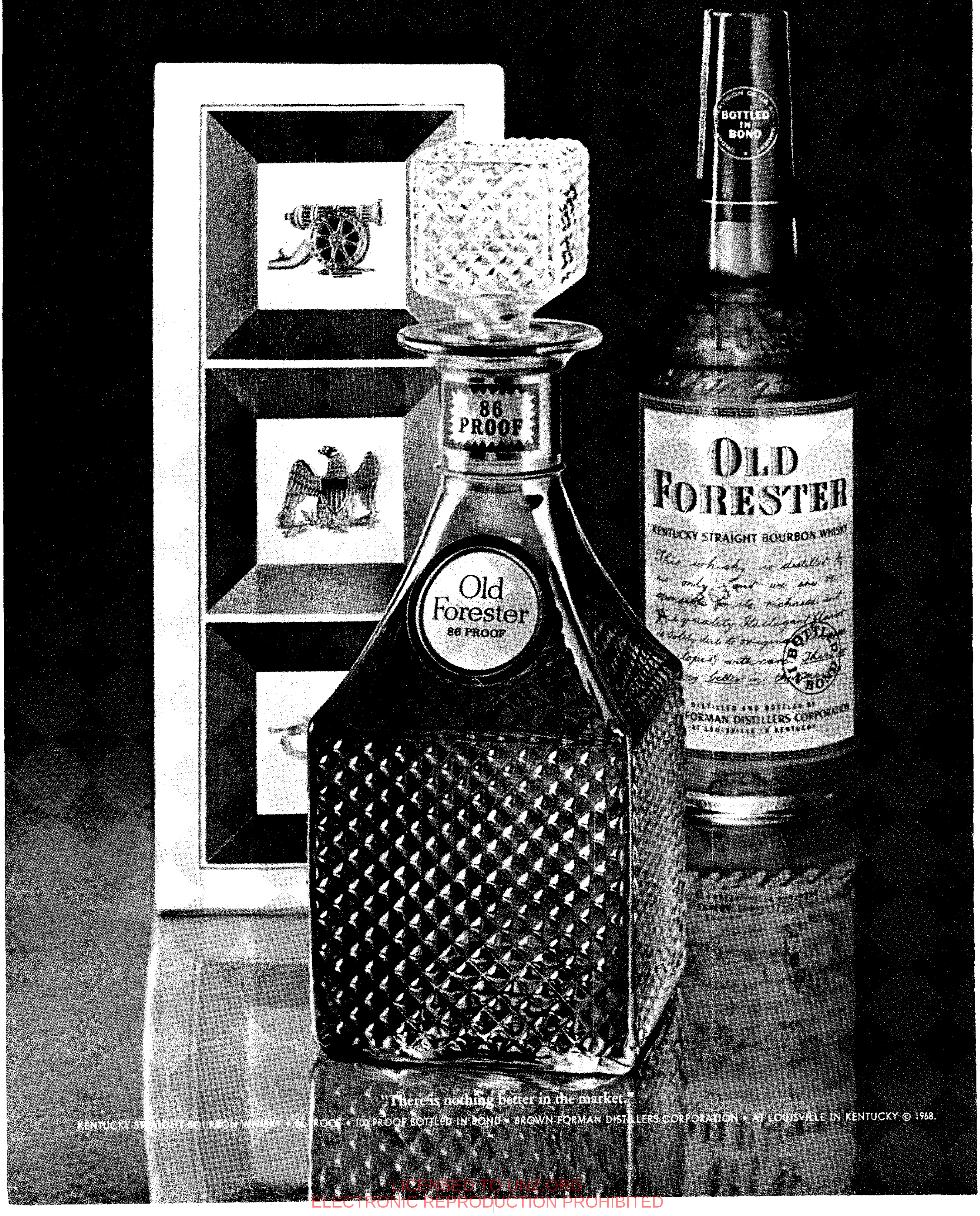
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GOINGS ON ABOUT TOWN

galleries, with an eye on the Christmas tree, will be exhibiting special selections of works in various mediums.)

GALLERIES

Lee Adler—Paintings inspired by machines and mechanical drawings; through Dec. 31. (White, 42 E. 57th St. Closed Mondays.)

Jo Baer and Alfred Leslie—Abstract paintings by the former and detailed nudes by the latter; through Saturday, Dec. 21. (Goldowsky, 1078 Madison Ave., at 81st St. Closed Mondays.)

Max Beckmann (1884-1950)—Etchings, lithographs, and woodcuts by one of Germany's outstanding twentieth-century artists; through Jan. 4. (Viviano, 42 E. 57th St. Closed Mondays.)

Alexandre N. Benois (1870-1960)—Watercolors of landscapes, monuments, and interiors by an artist who is associated with ballet and was a friend of Diaghilev; through Friday, Dec. 20. (Shepherd, 21 E. 84th St. Closed Mondays.)

Thomas Hart Benton—Paintings and drawings, primarily of the twenties through the forties, by one of the leaders of American art of that period; through Dec. 28. (Graham, 1014 Madison Ave., at 78th St. Closed Mondays.)

James Bishop—Paintings composed of geometric shapes with slightly irregular edges; through Dec. 31. (Fischbach, 29 W. 57th St. Closed Mondays.)

Marc Chagall—Paintings of the past three years; through Saturday, Dec. 14. (Matisse, 41 E. 57th St.)

Carmen Cicero—Semi-abstract paintings of figures; through Saturday, Dec. 21. (Peridot, 820 Madison Ave., at 68th St. Closed Mondays.)

Calvert Coggeshall—Non-objective paintings; through Jan. 4. (Parsons, 24 W. 57th St. Closed Mondays.)

Louis M. Eilshemius (1864-1941)—Twenty-eight oils by a much-admired American individualist often compared to the Douanier Rousseau; through Saturday, Dec. 14. (Perry-Hill, 743 Fifth Ave., at 57th St.)

Max Ernst—Graphics and sculptures from various periods; through Saturday, Dec. 21. (Borgenicht, 1018 Madison Ave., at 70th St. Closed Mondays.)

Hamilton Fraser—Landscapes and still-lifes, plus studies for the paintings; through Saturday, Dec. 14. (Rosenberg, 20 E. 79th St.)

Jill Gill—Watercolors and ink-and-collage compositions by an artist who, for some reason, has chosen the geranium as her motif; through Saturday, Dec. 14. (Bodley, 787 Madison Ave., at 67th St.)

Charles Hawthorne (1872-1930)—Oils and watercolors, mostly of Cape Cod personalities, by an artist long associated with the Cape; through Dec. 31. (Hirschl & Adler, 21 E. 67th St. Closed Mondays.)

Erwin Heerich—A German artist presents forty-two cardboard constructions; through Saturday, Dec. 21. (Dwan, 29 W. 57th St. Closed Mondays.)

William King—Sculptures in wood, aluminum, and linen in a satirical and whimsical vein; through Jan. 4. (Dintenfass, 18 E. 67th St. Closed Mondays.)

Walt Kuhn (1877-1949)—Watercolors and drawings of the human figure by an organizer of the Armory Show; through Jan. 4. (Kennedy, 20 E. 56th St. Closed Mondays.)

June Leaf—Constructions and drawings for an imaginary theatre representing life in New York; through Jan. 4. (Frumkin, 41 E. 57th St.)

Fernand Léger (1881-1955)—Oils by the French modernist; through Saturday, Dec. 21. (Perls, 1016 Madison Ave., at 78th St. Closed Mondays.)

René Magritte—Thirty-five paintings, plus gouaches, drawings, and two sculptures, dating from 1928 to 1966; through Saturday, Dec. 21. (Byron, 1018 Madison Ave., at 79th St. Closed Mondays.)

John McCracken—A sculptor known for his colored planks fills the gallery with a piece consisting of fourteen painted plywood units; through Dec. 31. (Elkon, 1063 Madison Ave., at 80th St. Closed Mondays.)

Reginald Neal—Plastic boxes with colored plastic enclosures producing optical effects; through Jan. 4. (Sachs, 29 W. 57th St. Closed Mondays.)

Isamu Noguchi—One of America's leading artist-designers offers adaptations of Japanese lanterns as light sculptures; through Jan. 4. (Cordier & Ekstrom, 980 Madison Ave., at 76th St. Closed Mondays.)

Warren Owens—Outdoor sculptures assembled from junked metal and wood, and drawings; through Saturday, Dec. 14. (Phoenix, 939 Madison Ave., at 74th St.)

William Pachner—Landscapes combined with human anatomy; through Saturday, Dec. 21. (Krasner, 1061 Madison Ave., at 81st St. Closed Mondays.)

Picasso—Graphics, mostly aquatints, executed in 1966; through Jan. 11. (Saidenberg, 1037 Madison Ave., at 79th St. Closed Mondays.)

Anton Refregier—Recent paintings by a social realist prominent in the thirties; through Saturday, Dec. 14. (ACA, 63 E. 57th St.)

Sophy Regensburg—Still-lifes and landscapes; through Friday, Dec. 20. (Babcock, 805 Madison Ave., at 68th St. Closed Mondays.)

Egon Schiele (1890-1918)—Watercolors and drawings by an Austrian artist; through Saturday, Dec. 14. (St. Etienne, 24 W. 57th St.)

George Segal—A prominent Pop sculptor's lifelike plaster figures in everyday situations, plus pastels; through Jan. 4. (Janis, 15 E. 57th St.)

Carl Sprinchorn—Watercolors and drawings that record theatre, dance, and café life from 1910 to 1930; through Saturday, Dec. 14. (Zabriskie, 699 Madison Ave., at 62nd St.)

Julian Stanczak—Paintings of straight lines and overlapping planes; through Dec. 28. (Jackson, 32 E. 69th St. Closed Mondays.)

Teiji Takai—Paintings composed of abstract and figurative elements; through Thursday, Dec. 19. (Poindexter, 21 W. 56th St. Closed Mondays.)

Cy Twombly—This artist's characteristic scribbles in oil, pencil, and crayon, on neutral backgrounds; through Saturday, Dec. 21. (Castelli, 4 E. 77th St. Closed Mondays.)

York Wilson—Paintings composed of striped planes; through Dec. 31. (Fried, 40 E. 68th St. Closed Mondays.)

Frank Lloyd Wright (1869-1959)—Stained-glass panels and windows designed by the celebrated architect; through Sunday, Dec. 15. (Feigen, 141 Greene St., at Houston St. Wednesdays through Sundays, noon to 6.)

William Zorach—Fifty sculptures and twenty watercolors by an artist who is also having an exhibition at the Brooklyn Museum; through Dec. 28. (Danenberg, 1000 Madison Ave., at 78th St.)

Pre-Columbian Art—Ceramics, metal work, and textiles from Peru; through Jan. 9. (Emmerich, 41 E. 57th St. Closed Mondays.)

American Society of Contemporary Artists—Their annual exhibit of paintings, sculptures, and graphics; through Tuesday, Dec. 17. (National Academy of Design, 1083 Fifth Ave., at 89th St. Daily, 1 to 5.)

Sculptures—At the **chalette**, 9 E. 88th St.: Pieces in many mediums emphasizing "structure" by seven artists, most of them former students of Josef Albers; through Dec. 31. (Closed Mondays.). . . **gibson**, 27 E. 67th St.: Eighteen examples, some of them by well-known younger contemporaries; through Friday, Dec. 13.

Americans; Group Shows—At the **bykert**, 24 E. 81st St.: Paintings, sculptures, and drawings by, among others, Marden, Van Buren, and Gourfain; through Jan. 2. (Closed Mondays.). . . **grand central**, 40 Vanderbilt Ave., at 44th St.: Paintings by turn-of-the-century artists, all but one of them members of the National Academy; through Dec. 31. . . . **landau-alan**, 766 Madison Ave., at 66th St.: Works from the nineteenth century to the present emphasizing illusionism in American art; through Dec. 24. (Closed Mondays.). . . **midtown**, 11 E. 57th St.: Four prominent academics exhibit watercolors; through Jan. 4. . . . **schweitzer**, 958 Madison Ave., at 75th St.: Inness, Metcalf, Moran, and Sargent are some of the artists represented in a show of paintings by Americans who worked and travelled in Europe after 1850; through Dec. 31.

Americans and Europeans; Group Shows—At the

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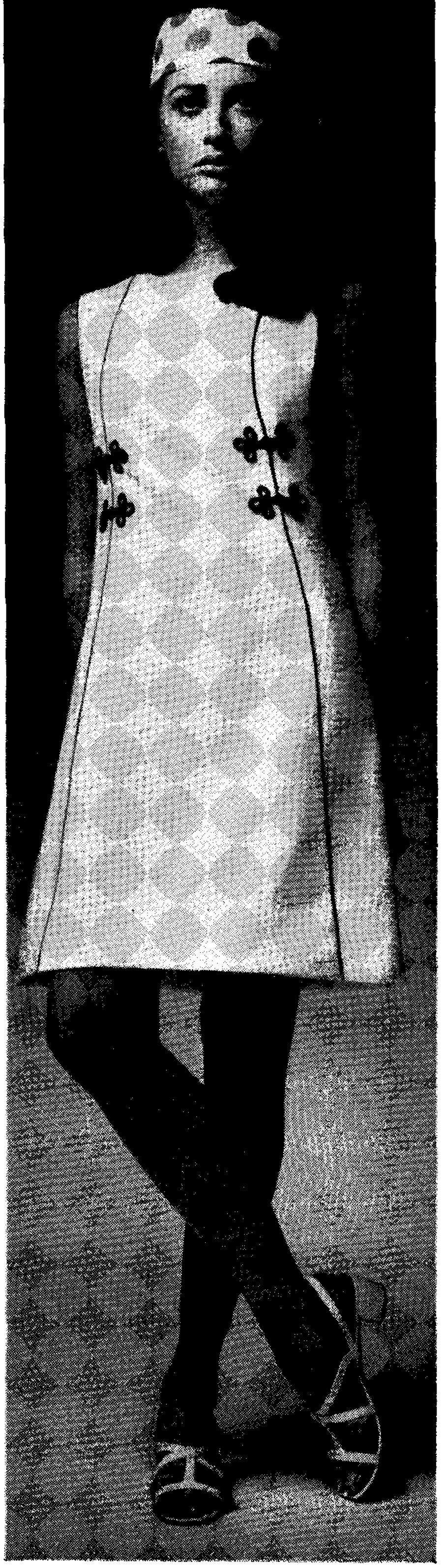


GOINGS ON ABOUT TOWN

KNOEDLER, 14 E. 57th St.: A benefit exhibition of a wide variety of works, from primitive to Picasso, following no particular concept of selection; through Dec. 28. . . . **WISE**, 50 W. 57th St.: Optical specialists, including Agam and Le Parc, supply tricks with lights and mirrors; through Dec. 28. (Closed Mondays.)

EUROPEANS; GROUP SHOWS—At the **HAHN**, 960 Madison Ave., at 75th St.: Nineteenth- and twentieth-century French paintings by, for instance, Monet, Pissarro, Matisse, and Dubuffet; through Saturday, Dec. 14. . . . **LOEB & KRUGIER**, 12 E. 57th St.: About fifty paintings, sculptures, and drawings by Italian Futurists, among them Carra, Severini, and Balla; through Saturday, Dec. 21. (Closed Mondays.). . . **SABARSKY**, 987 Madison Ave., at 77th St.: Paintings and drawings by Kirchner, Nolde, Pechstein, Schmidt-Rottluff, and other German Expressionists; through Saturday, Dec. 21. (Closed Mondays.). . . **SHICKMAN**, 929 Park Ave., at 81st St.: Seventeenth-century Dutch and Flemish paintings, including an oil study by Rubens, and paintings by, among others, Salomon and Jacob van Ruisdael and Jan Steen; through Saturday, Dec. 14. . . . **WILDENSTEIN**, 19 E. 64th St.: A benefit show, assembled by the Fogg Art Museum, of seventy masterpieces of the seventeenth century (by Rembrandt, Rubens, Poussin, Fragonard, Tiepolo, and others—many of the works shown in New York for the first time), which interpret scenes and modes of classical antiquity; through Jan. 4.

MUSEUMS AND LIBRARIES

METROPOLITAN MUSEUM, Fifth Ave. at 82nd St.—An extensive collection of etchings and drawings by the seventeenth-century printmaker Stefano della Bella; through Dec. 29. . . . ¶ Mayan art from Guatemala, covering that civilization from about 500 B.C. to 1500 A.D. and featuring a stela airlifted from the jungle, plus other stelae, stone sculptures, ceramics, jewelry, and flint and obsidian votive offerings; through Jan. 19. (Weekdays, 10 to 5, and Tuesday evenings until 10; Sundays, 1 to 5.)

MUSEUM OF MODERN ART, 11 W. 53rd St.—Two hundred and twenty paintings, sculptures, drawings, prints, and objects on the theme of "The Machine as Seen at the End of the Mechanical Age." On Wednesdays, at noon, the exhibition is supplemented by the showing in the Auditorium of a number of experimental movies under the general heading "The Machine in Film." Through Feb. 9. . . . ¶ A thirty-six-foot-long, eight-foot-high, four-and-a-half-foot-deep Plexiglas panel construction by Robert Rauschenberg, in which arrangements of wooden chairs can be seen by the flicker of lights set off electronically in response to whatever sounds ("Wow!" "Jeepers!") emanate from the audience; through Jan. 26. . . . ¶ Twenty-five posters made during the student revolt in Paris last May; through Jan. 12. (Weekdays, 11 to 6, and Thursday evenings until 9; Sundays, noon to 6.)

SOLOMON R. GUGGENHEIM MUSEUM, 1071 Fifth Ave., at 89th St.—A mammoth showing of seven hundred articles of pre-Hispanic Peruvian art from 1500 B.C. to 1500 A.D., containing ceramic objects (decorated vessels, musical instruments, men, animals, and birds); jewelry; objects in gold, silver, and wood; stone carvings; and textiles. Through Jan. 11. . . . ¶ Paintings by Wassily Kandinsky taken from the Museum's collection; through Jan. 4. (Tuesdays, 10 to 9; Wednesdays through Saturdays, 10 to 6; Sundays, noon to 6.)

WHITNEY MUSEUM, 945 Madison Ave., at 75th St.—Ten murals by Rufus Porter (1792-1884), a newly rediscovered nineteenth-century landscapist who was also an inventor and science editor; through Jan. 19. . . . ¶ A comprehensive show of the graphic art of Winslow Homer, from the wood engravings done for *Harper's Weekly* in the late eighteen-fifties to the last etchings of 1889, plus paintings and drawings used as sources for prints; through Sunday, Dec. 15. (Weekdays, 11 to 6, and Tuesday evenings until 10; Sundays, noon to 6.)

BROOKLYN MUSEUM, Eastern Parkway—A hundred and thirty-seven works, many of them animated and "environmental," exemplifying current collaborations between artists and engineers; through Jan. 5. . . . ¶ Little-known oils, watercolors, and drawings done from 1911 to 1922 by William Zorach, a leading American sculptor who died in 1966; through Jan. 16. Except on Mondays, admission is fifty cents. (Weekdays, 10 to 5; Sundays, 1 to 5.) A good complement to the Zorach exhibition is his show of sculptures and watercolors at the Danenberg Gallery, 1000 Madison Ave., at 78th St.

AMERICAN MUSEUM OF NATURAL HISTORY, Central Park W. at 79th St.—The hall of Man in Africa surveys the history of the indigenes with illuminating displays of their art, crafts, dress, and the like. (Weekdays, 10 to 5; Sundays, 1 to 5.)

AMERICAN ACADEMY AND NATIONAL INSTITUTE OF ARTS AND LETTERS, Broadway at 155th St.—Fifty-seven works in various modes by such artists as Rosemarie Beck, Robert Gwathmey, John Hultberg, Waldo Peirce, and Doris Rosenthal, eligible for purchase under the Childe Hassam Fund for presentation to museums in the United States and Canada; through Dec. 22. . . . ¶ Paintings by members of the Institute; through Dec. 22. (Daily, except Mondays, 1 to 4.)

ASIA HOUSE, 112 E. 64th St.—Eighty Chinese ritual bronzes from collections in Europe and America, dating from prehistoric times to a few centuries before the Christian era; through Sunday, Dec. 15. (Mondays through Fridays, 10 to 5; Saturdays, 11 to 5; Sundays, 1 to 5.)

CHINA HOUSE, 125 E. 65th St.—Chinese jade from neolithic times through the nineteenth century, and comprising tomb objects, daggers, beads, jewelry, votive carvings, and amulets; through Jan. 26. (Mondays through Fridays, 10 to 5; Saturdays, 11 to 5; Sundays, 2 to 5.)

THE CLOISTERS, Fort Tryon Park—Medieval art, from the fifth century to the first quarter of the sixteenth, lent by private American collectors and made up of two hundred and twenty illuminated manuscripts, paintings and drawings, sculptures, ivories, metalwork, goldsmiths' work, enamels, stained glass, and embroideries and tapestries; through Jan. 5. (Tuesdays through Saturdays, 10 to 5; Sundays, 1 to 5. Except on Tuesdays, admission is $1.)

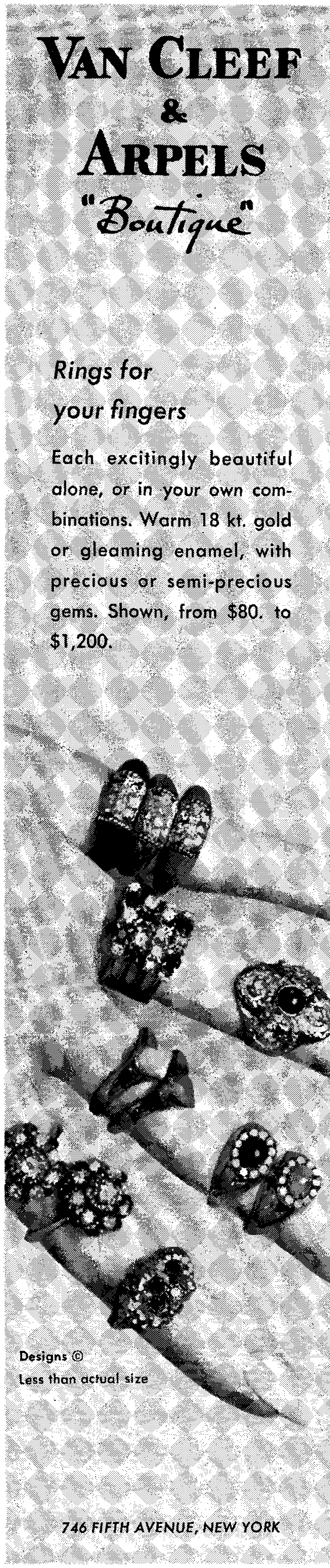
FINCH COLLEGE MUSEUM OF ART, 62 E. 78th St.—Paintings and sculptures of the female figure by contemporaries, known and less known, among the former Marisol, Oldenburg, D'Arcangelo, de Kooning, Katz, and Thiebaud; starting Friday, Dec. 13. . . . ¶ Sixteenth- , seventeenth- , and eighteenth-century drawings on the theme of "The Story of Christmas;" starting Friday, Dec. 13. (Daily, except Mondays, 1 to 5.)

GALLERY OF MODERN ART, 2 Columbus Circle—A selection of fifty-four paintings and three sculptures done since 1950 by Charles Alston, a black artist concerned with social problems; through Jan. 19. . . . ¶ Numerous bronzes and some stone carvings, drawings, watercolors, and one oil painting by the late Jacob Epstein, celebrated for his portrait busts; through Feb. 9. (Daily, except Mondays, 11 to 8.)

JEWISH MUSEUM, Fifth Ave. at 92nd St.—Two hundred and thirty ritual and ceremonial objects, covering three thousand years, and ranging from a chalice of the time of Jeremiah to gold glass from the Roman catacombs and a shofar from Ethiopia, borrowed from public institutions in New York; through Jan. 5. . . . ¶ A "pond" by Robert Whitman contrived of sheets of plastic mirrors, activated images and sound, strobe lights, and lenses that reflect the spectator; through Jan. 5. . . . ¶ Posters created by students during the Paris demonstrations last spring and by Czechs during the Russian occupation in August; through Jan. 19. (Mondays through Thursdays, noon to 5; Fridays, 11 to 3; Sundays, 11 to 6.)

LIBRARY AND MUSEUM OF THE PERFORMING ARTS, Lincoln Center—Scenic and costume designs, scripts, caricatures, posters, and maquettes by Rouben Ter-Arutunian, Ming Cho Lee, Noguchi, Al Hirschfeld, Karinska, and other artists who have contributed to City Center productions over the past twenty-five years; through Feb. 1. (Mondays through Fridays, 10 to 9; Saturdays, 10 to 6.)

LOW MEMORIAL LIBRARY, Columbia University, Broadway at 116th St.—The largest and most



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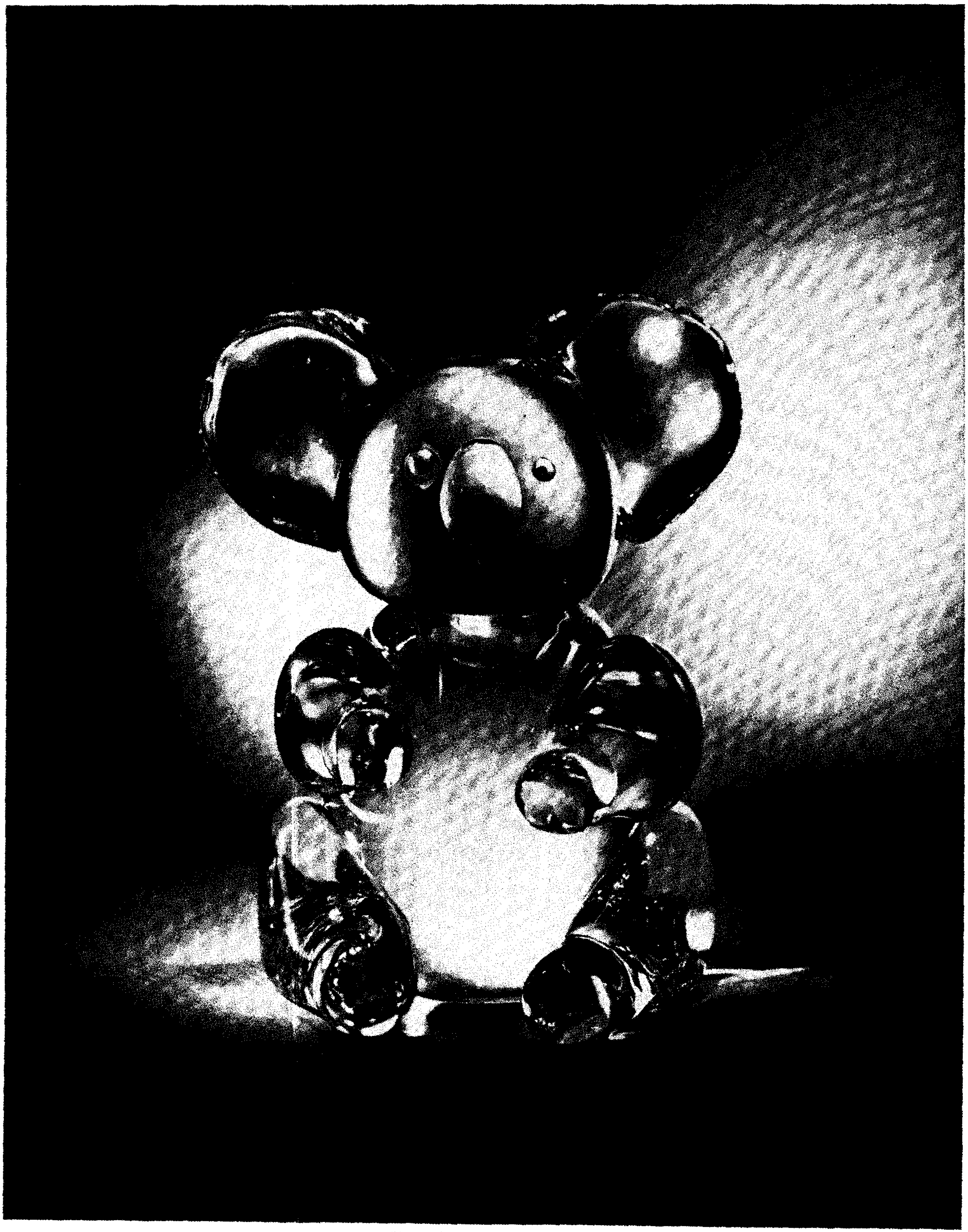

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GOINGS ON ABOUT TOWN

representative exhibit of modern Persian paintings ever assembled in the United States; through Wednesday, Dec. 18. (Mondays through Fridays, 10:30 to 7.)

Morgan Library, 29 E. 36th St.—"The Classical Style in Islamic Painting," a hundred miniatures and manuscripts showing the influence and place of the Herat school in the history of Islamic painting; through Jan. 4. . . . ¶ Books, handsome indeed, designed and hand set by the eminent Dr. Giovanni Mardersteig at his Officina Bodoni, in Verona, Italy; through Jan. 4. . . . ¶ A splendid thread of figure drawings from the fifteenth century to the twentieth; through Jan. 11. (Weekdays, 9:30 to 5.)

Museum of American Folk Art, 49 W. 53rd St.—Folk arts and crafts of the early Pennsylvania settlers, offering such diverse items as dolls, animal carvings, needlework, furniture, ironwork, toolbox lids from Conestoga wagons, and forty illuminated manuscripts; through Feb. 9. (Daily, except Mondays, 10:30 to 5:30.)

Museum of Primitive Art, 15 W. 54th St.—Recent acquisitions—sculptures from Africa, gold pieces from Mexico, dance masks from Melanesia, and other items; through Feb. 2. (Tuesdays through Saturdays, noon to 5; Sundays, 1 to 5.)

New School, 66 W. 12th St.—Forty-eight posters by well-known contemporaries, such as Motherwell, Chagall, Segal, Warhol, and Rivers, commissioned under a program to stimulate this medium; through Jan. 31. (Mondays through Wednesdays, 10 to 8; Thursdays and Fridays, 10 to 5; Saturdays, 10 to 3.)

New-York Historical Society, 170 Central Park W., at 77th St.—Approximately three hundred of the Society's original watercolor drawings of "The Birds of America" by, but of course, John James Audubon. No recorded birdsong accompaniment, to our regret. Through Dec. 31. (Tuesdays through Fridays, and Sundays, 1 to 5; Saturdays, 10 to 5.)

New York Public Library, Fifth Ave. at 42nd St.—The John Quinn Memorial Collection, composed of correspondence with members of the Irish Literary Revival, the artists of the Paris School, and English and American writers whose work he advanced. Books, manuscripts (one being T. S. Eliot's "The Waste Land"), and photographs are also to be seen. Through Feb. 28. (Weekdays, 9 to 5.) . . . ¶ Prints from the fifteenth century to the present, having in common the subject of urban life, by Canaletto, Hogarth, Reginald Marsh, Will Barnet, and others; through Feb. 28. (Weekdays, 9 A.M. to 10 P.M.; Sundays, 1 to 10.)

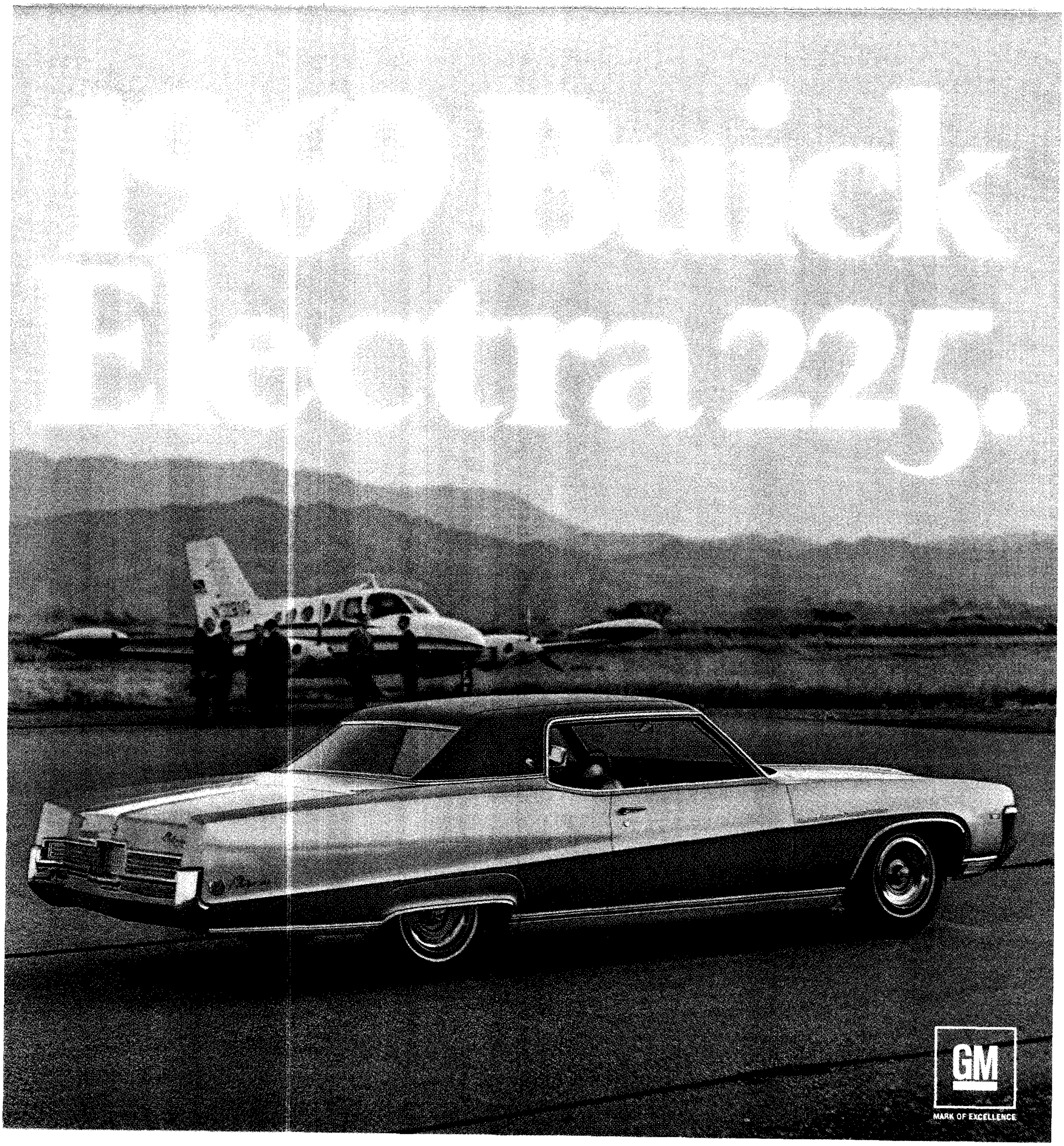
Studio Museum in Harlem, 2033 Fifth Ave., at 125th St.—An exhibition of works by "black artists of the thirties" protesting their lack of representation in the Whitney Museum's show entitled "The 1930's: Painting and Sculpture in America;" through Jan. 5. (Mondays and Wednesdays, 10 to 9; Tuesdays, Thursdays, and Fridays, 10 to 6; Saturdays and Sundays, 1 to 6.)

MUSIC

(The box-office number for the Metropolitan Opera House at Lincoln Center is 799-4420, for Philharmonic Hall TR 4-2424, for Carnegie Hall CI 7-7459, and for Town Hall JU 2-4536. Other box-office numbers are included in the listings.)

OPERA

Metropolitan Opera—Thursday, Dec. 12, at 8: "La Sonnambula," with Joan Sutherland, Colette Boky, Luciano Pavarotti, and Bonaldo Giaiotti. . . . ¶ Friday, Dec. 13, at 8: "Roméo et Juliette," with Mirella Freni, Judith Forst, Nicolai Gedda, John Reardon, Justino Díaz, and Clifford Harvuot. . . . ¶ Saturday, Dec. 14, at 2: "Simon Boccanegra," with Gabriella Tucci, George Shirley, Cornell MacNeil, Jerome Hines, and Sherrill Milnes. . . . ¶ Saturday, Dec. 14, at 8: "La Bohème," with Milka Stojanovic, Jean Fenn, Luciano Pavarotti, Mario Sereni, Bonaldo Giaiotti, and Robert Goodloe. . . . ¶ Monday, Dec. 16, at 8: "Roméo et Juliette," with Mirella Freni, Marcia Baldwin, Nicolai



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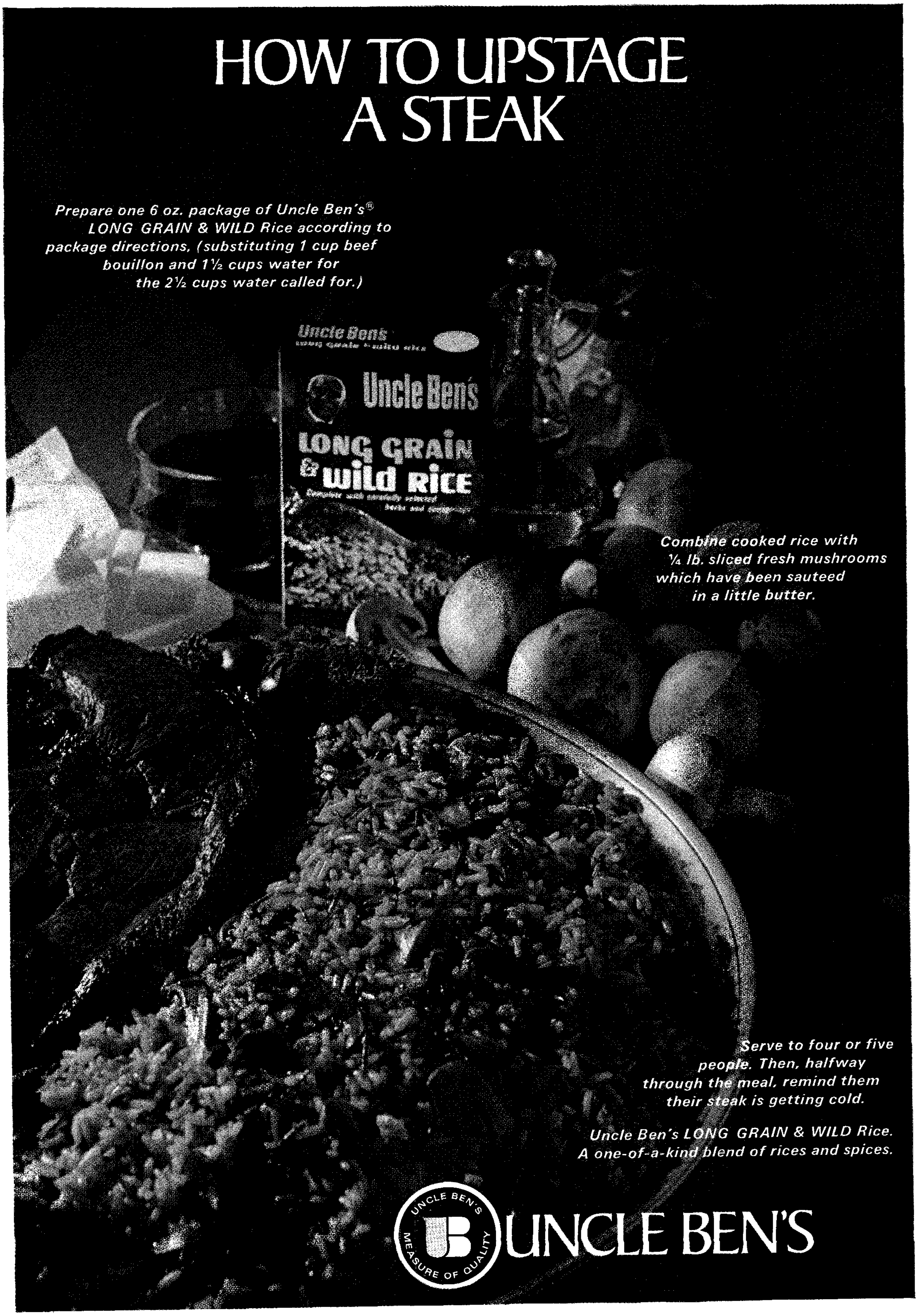

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GOINGS ON ABOUT TOWN

Gedda, John Reardon, Justino Díaz, and Clifford Harvuot. . . . ¶ Tuesday, Dec. 17, at 8: "Don Giovanni," with Martina Arroyo, Teresa Zylis-Gara, Judith Raskin, Cesare Siepi, Peter Schreier, Geraint Evans, Theodor Uppman, and John Macurdy. . . . ¶ Wednesday, Dec. 18, at 8: "La Sonnambula," with Joan Sutherland, Colette Boky, Luciano Pavarotti, and Bonaldo Giaiotti. . . . ¶ Thursday, Dec. 19, at 8: "Carmen," with Regina Resnik, Mirella Freni, Richard Tucker, and Frank Guarrera. . . . ¶ Friday, Dec. 20, at 8: "Don Giovanni," with Martina Arroyo, Teresa Zylis-Gara, Judith Raskin, Cesare Siepi, Peter Schreier, Geraint Evans, Theodor Uppman, and John Macurdy . . . ¶ Saturday, Dec. 21, at 2: "La Sonnambula," with Joan Sutherland, Colette Boky, John Alexander, and Bonaldo Giaiotti. . . . ¶ Saturday, Dec. 21, at 7:15: "Die Meistersinger," with Jean Fenn, Mildred Miller, Sándor Kónya, Giorgio Tozzi, Ezio Flagello, Karl Dönch, and Loren Driscoll.

JUILLIARD OPERA THEATRE—Benefit performances of Rossini's "Il Barbiere di Siviglia." Staged by Tito Capobianco, with members of the Juilliard Theatre Orchestra conducted by Alfred Wallenstein. (Juilliard Concert Hall, 130 Claremont Ave., at 122nd St. Thursday, Dec. 12, and Saturday, Dec. 14, at 8:15, in English; and Friday, Dec. 13, at 8:15, in Italian. For tickets, call MO 3-7200, Ext. 35.)

THE PLAY OF DANIEL—The first of two twelfth-century musical dramas to be presented by the New York Pro Musica. The cast includes singers, players, and actors. (Church of St. Mary the Virgin, 139 W. 46th St. Wednesday, Dec. 18, at 7, and Thursday through Saturday, Dec. 19-21, at 7 and 9:15. For information about tickets, which will not be on sale at the church, call 874-7713.)

ORCHESTRAS AND CHORUSES

NEW YORK PHILHARMONIC—At Philharmonic Hall, Carlo Maria Giulini conducting—An all-Mozart program on Thursday, Dec. 12, at 8:30; Friday, Dec. 13, at 2; Saturday, Dec. 14, at 8:30; and Monday, Dec. 16, at 7:30 (all with Arturo Benedetti Michelangeli, piano); and a varied program on Thursday, Dec. 19, at 8:30; Friday, Dec. 20, at 2; Saturday, Dec. 21, at 8:30; and Monday, Dec. 30, at 7:30 (all with Rudolf Firkusny, piano).

WASHINGTON NATIONAL SYMPHONY—Howard Mitchell conducting, with Eugene Istomin, piano. (Philharmonic Hall. Sunday, Dec. 15, at 3.)

BOSTON SYMPHONY—Erich Leinsdorf conducting. (Philharmonic Hall. Wednesday, Dec. 18, and Friday, Dec. 20, at 8:30, both with Earl Wild, piano. . . . ¶ Brooklyn Academy of Music, 30 Lafayette Ave. ST 3-2434. Thursday, Dec. 19, at 8:30; no soloists. . . . ¶ Carnegie Hall. Saturday, Dec. 21, at 8:30, with Claude Frank, piano.)

MUSICA AETERNA ORCHESTRA—Frederic Waldman conducting, with Rudolf Firkusny, piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 82nd St. 879-5512. Saturday and Sunday, Dec. 14-15, at 8:30.)

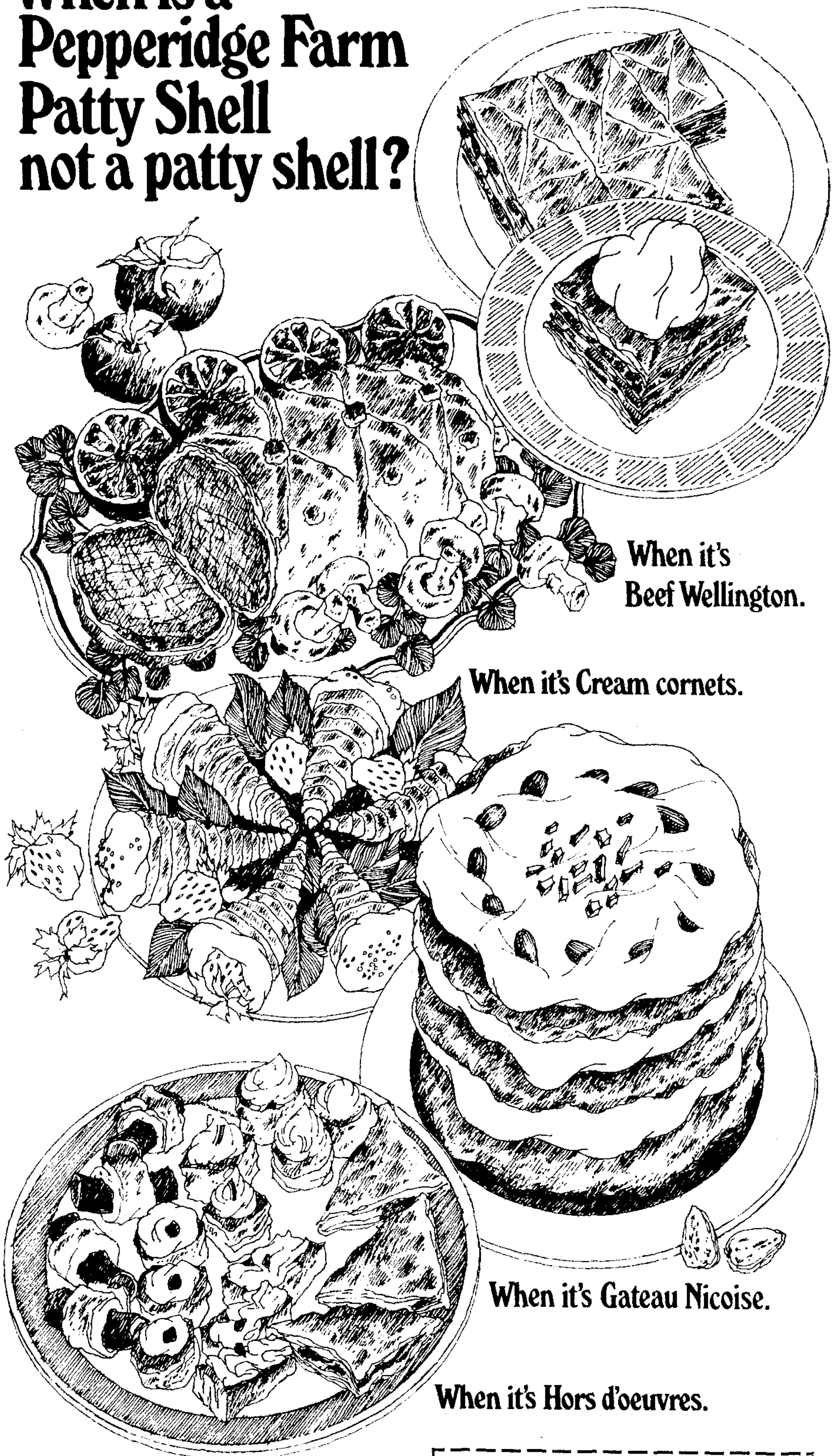
LITTLE ORCHESTRA SOCIETY—Alvaro Cassuto conducting, with Ruggiero Ricci, violin. (Philharmonic Hall. Tuesday, Dec. 17, at 8. . . . ¶ The Society will hold a preview of this program at the Brooklyn Academy of Music, 30 Lafayette Ave. (ST 3-2434), on Sunday, Dec. 15, at 2:30.

SYMPHONY OF NEW YORK—Joseph Eger conducting the first concert by this new orchestra, with Mary Hinkson and Arthur Mitchell, dancers. (Carnegie Hall. Thursday, Dec. 19, at 8:30.)

MANNES CHORUS—Harold Aks directing. (Marymount Manhattan College, 221 E. 71st St. Thursday, Dec. 12, at 8:30. No tickets necessary.)

MASTERWORK CHORUS AND ORCHESTRA—David Randolph directing Handel's "Messiah." (Carnegie Hall. Friday and Saturday, Dec. 13-14, at 8.)

SING-IN AT PHILHARMONIC HALL—Handel's "Messiah," directed (seriatim, fortunately) by eighteen directors, including Ralph Hunter, Newell Jenkins, and Martin Josman. Adele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GOINGS ON ABOUT TOWN

Addison, soprano, and Kerry McDevitt, bass, will appear as soloists, and the audience itself will serve as the chorus. (Friday, Dec. 13, at 8:30.)

Barnard-Columbia Chorus and Columbia University Concert Band—A joint concert, with Daniel Paget and David Josephson directing. (Wollman Auditorium, Ferris Booth Hall, Broadway at 115th St. Friday, Dec. 13, at 8:30. For tickets, call 280-3550.)

Canterbury Choral Society—Charles Dodsley Walker directing, with soloists, an orchestra, and another chorus. (Church of the Heavenly Rest, Fifth Ave. at 90th St. Sunday, Dec. 15, at 4. No tickets necessary.)

Oratorio Society of New York—T. Charles Lee directing Handel's "Messiah." (Carnegie Hall. Tuesday, Dec. 17, at 8.)

RECITALS

Ned Rorem Songs—Phyllis Curtin, soprano; Beverly Wolff, mezzo-soprano; and Donald Gramm, bass-baritone, singing various poems by W. H. Auden, Elizabeth Bishop, Frank O'Hara, Emily Dickinson, and others, as set to music by Mr. Rorem. He will act as piano accompanist. (Town Hall. Thursday, Dec. 12, at 8:30.)

Barry McDaniel—Baritone. (Hunter College Playhouse, Park Ave. at 68th St. 535-5350. Thursday, Dec. 12, at 8:40.)

Beveridge Webster—Piano, in the last in a series of all-Debussy concerts. (Town Hall. Friday, Dec. 13, at 8:30.)

Renaissance Quartet—Chamber music. (Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 82nd St. 879-5512. Friday, Dec. 13, at 8:30.)

Claremont Quartet—Chamber music. (Washington Irving High School, Irving Pl. at 16th St. Saturday, Dec. 14, at 8:30. For tickets, call GR 3-1391.)

Guarneri String Quartet—The last in a series of concerts. (Kaufmann Concert Hall, Y.M.H.A., Lexington Ave. at 92nd St. FI 8-1500. Saturday, Dec. 14, at 8:30.)

Vladimir Horowitz—Piano, in the second of two identical recitals. (Carnegie Hall. Sunday, Dec. 15, at 3:30.)

Grete Sultan—Piano. (Town Hall. Monday, Dec. 16, at 8:30.)

Paula Sylvester and Anthony Newman—Flute and harpsichord. (Carnegie Recital Hall. Monday, Dec. 16, at 8:30.)

Evenings for New Music—The first in a series of four programs prepared by Lukas Foss. (Carnegie Recital Hall. Tuesday, Dec. 17, at 8:30.)

New York Pro Musica Concert Ensemble—A program of music by fifteenth-century masters. (Fuentidueña Chapel, The Cloisters, Fort Tryon Park. Thursday and Friday, Dec. 19-20, at 2:30. No tickets necessary.)

National Association for American Composers and Conductors—A program of music by various composers, among them Vaclav Nelhybel and Henry Hadley, performed by the Manhattan Chorus, directed by Hugh Ross; Rose Raymond, piano; and others. (Library and Museum of the Performing Arts, Lincoln Center. Thursday, Dec. 19, at 7. No tickets necessary.)

Leonidas Lipovetsky—Piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 82nd St. 879-5512. Friday, Dec. 20, at 8:30.)

Festival Winds—Chamber music. (Hunter College Playhouse, Park Ave. at 68th St. 535-5350. Friday, Dec. 20, at 8:40.)

Janos Starker and Menahem Pressler—Cello and piano. (Hunter College Assembly Hall, Park Ave. at 69th St. 535-5350. Saturday, Dec. 21, at 8:30.)

New York Chamber Soloists—An all-Handel concert. (Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 82nd St. 879-5512. Saturday, Dec. 21, at 8:30.)

JAZZ/FOLK/ROCK/ETC.

Sam and Dave Revue, Super-Session, and Earth Opera—Fillmore East, 105 Second Ave., at 6th St. 777-5260. Friday and Saturday, Dec. 13-14, at 8 and 11:30.

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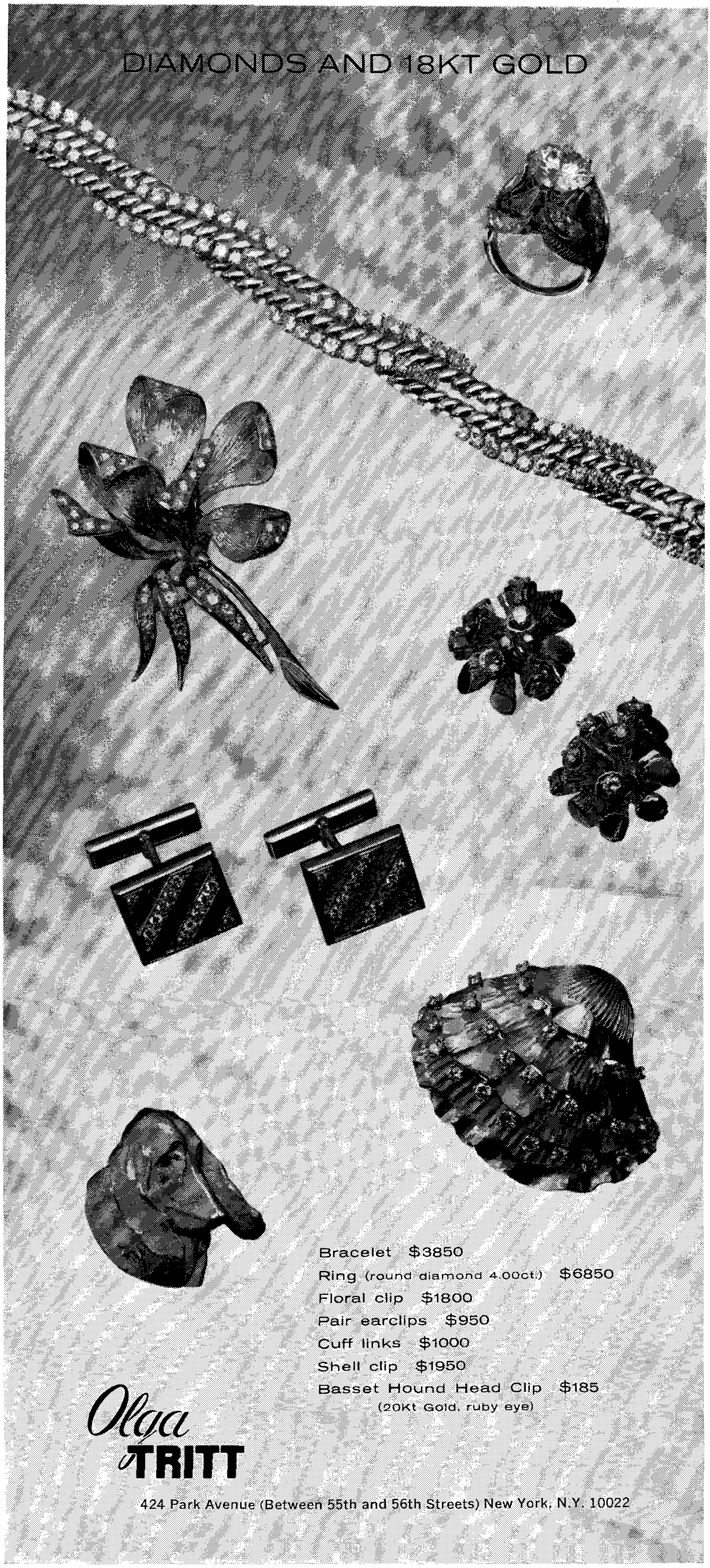

DIAMONDS AND 18KT GOLD

Bracelet $3850
Ring (round diamond 4.00ct.) $6850
Floral clip $1800
Pair earclips $950
Cuff links $1000
Shell clip $1950
Basset Hound Head Clip $185
(20Kt Gold, ruby eye)

Olga TRITT

424 Park Avenue (Between 55th and 56th Streets) New York, N.Y. 10022

GOINGS ON ABOUT TOWN

James Cotton Blues Band—Fillmore East. Friday and Saturday, Dec. 20-21, at 8 and 11:30.

SPORTS

(The box-office number for Madison Square Garden Center, Eighth Ave. between 31st and 33rd Sts., is 564-4400.)

Professional Basketball—At Madison Square Garden Center—Saturday, Dec. 14: Knicks vs. San Diego. . . . ¶ Tuesday, Dec. 17: Knicks vs. San Francisco. . . . ¶ Saturday, Dec. 21: Knicks vs. Seattle. (Games begin at 8:35.)

Professional Football—Giants vs. Dallas Cowboys. (Yankee Stadium. Sunday, Dec. 15, at 1:30.)

Hockey—At Madison Square Garden Center—Sunday, Dec. 15, at 7:05: Rangers vs. Philadelphia. . . . ¶ Wednesday, Dec. 18, at 7:35: Rangers vs. Chicago.

Racing—At Laurel, Md.: Weekdays at 12:30; through Saturday, Jan. 4.

Trotting—At Roosevelt Raceway, Westbury: Nightly at 8; through Saturday, Dec. 14. (A special train leaves Penn Station for the track at 6:43.)

FOR CHILDREN

Opera—The Amato Opera Company presenting an abbreviated version of "Carmen," with an English narration. (Town Hall. JU 2-2424. Saturday, Dec. 14, at 2:30.)

Magicworld—Opening performances of an eleven-day engagement. Milbourne Christopher will provide a magic show and the Stockholm Theatre of Fantasy will present "Hansel and Gretel," a puppet show. (Felt Forum, Madison Square Garden Center, Eighth Ave. between 31st and 33rd Sts. 564-4400. Saturday, Dec. 21, at 11:30 and 2:30.)

Stage Shows—By **bil and cora baird's marionettes:** "The Wizard of Oz." (Bil Baird Theatre, 59 Barrow St. YU 9-7060. Wednesdays at 3:30; Fridays at 3:30 and 7:30; and Saturdays and Sundays at 1 and 3:30.) . . . **huckleberry company:** "Adventures of Huckleberry Finn." (Greenwich Mews Theatre, 141 W. 13th St. 243-6800. Saturdays at 1:30 and 3:30.) . . . **rose lynch productions:** "Little Red Riding Hood," Saturdays and Sundays at 1. . . . ¶ "Heidi," Saturdays and Sundays at 2:30. (Royal Playhouse, 219 Second Ave., at 14th St. 475-9647.) . . . **pixie judy troupe:** "Puss in Boots," Saturday, Dec. 14, at 11 and 2, and Sunday, Dec. 15, at 2. . . . ¶ "Mother Goose on the Loose," Saturday, Dec. 21, at 11 and 2. (Judson Hall, 165 W. 57th St. JU 2-4090.) . . . **rod young puppets:** "Creative Puppetry." (Museum of the City of New York, Fifth Ave. at 104th St. LE 4-1672. Saturday, Dec. 14, at 1:30.)

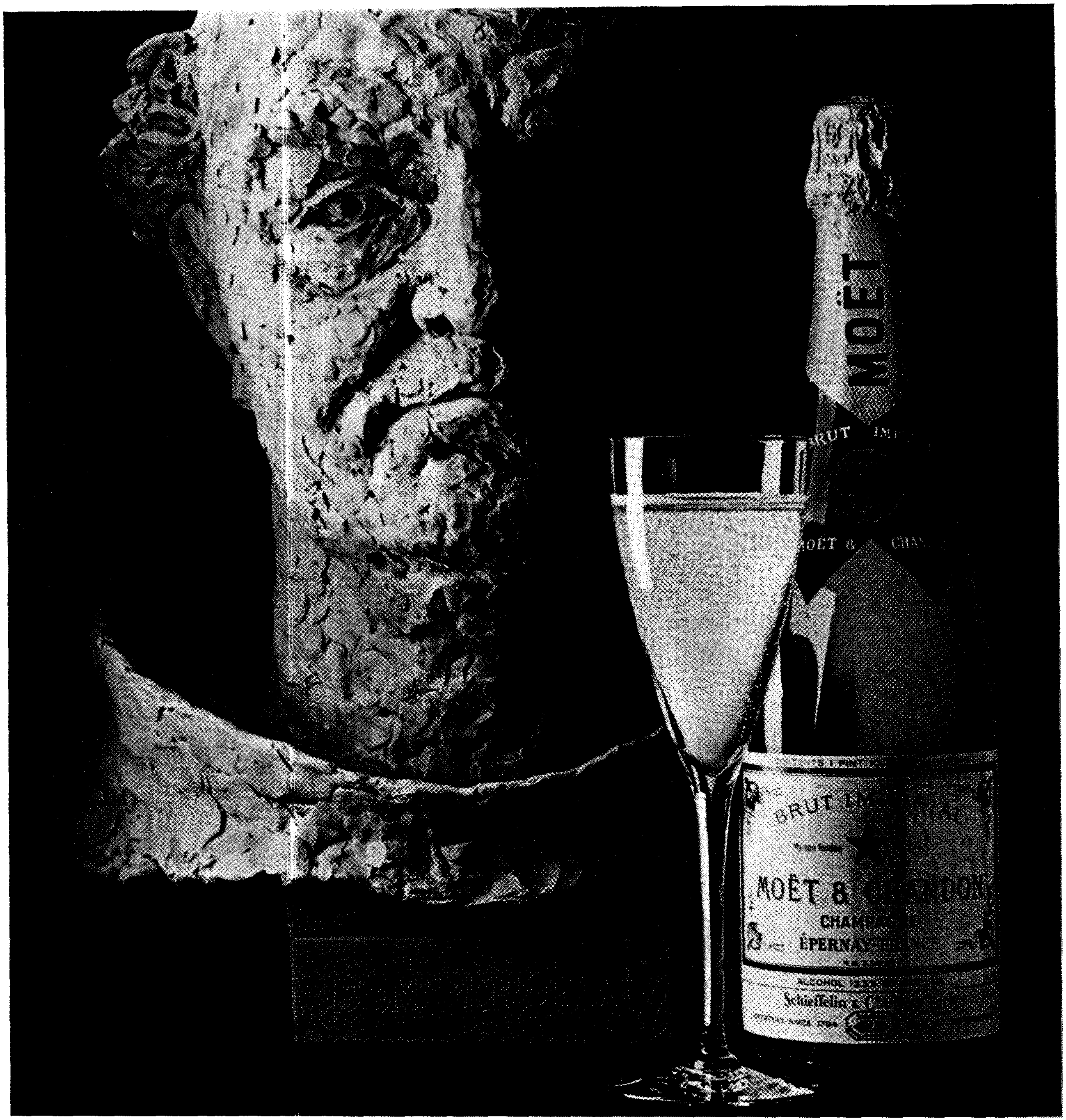
Junior Museum, Metropolitan Museum, Fifth Ave. at 81st St.—An exhibition, "The Artist's Workshop: Tools and Techniques," *demonstrating the techniques employed in* pictorial art and including examples of various mediums from the Museum's collections of European, American, Egyptian, and Near and Far Eastern art. (Weekdays, 10 to 5, and Tuesday evenings until 10; Sundays, 1 to 5.)

Hayden Planetarium, Central Park W. at 81st St. (873-1300)—The new show is "Stars of Christmas Past." (Mondays at 2 and 3:30; Tuesdays through Fridays at 2, 3:30, and 7:30; and Saturdays and Sundays at 1, 2, 3, 4, 5, and 7:30. Extra performances Saturday mornings at 11. Children under five not admitted.)

Note—Ice skaters of fourteen and under have free and exclusive use of the Wollman Memorial Skating Rink, in Central Park, every Saturday from 10 to 12.

ET ALIA

United Nations—Visitors are admitted to the plenary and/or committee sessions of the General Assembly, as well as to periodic meetings of the Security Council and regular sessions of other commissions and committees. A limited number of tickets are available, but only to those applying for them in



DOM PERIGNON CHAMPAGNE GLASS BY BACCARAT.

MOËT CHAMPAGNE
in the uncompromising tradition of Dom Pérignon

Since 1743, we at Moët et Chandon have made our champagne according to the precepts of Dom Pérignon, the monk who discovered the secret of making great champagne. In fact, the very vineyards of his monastery are in our possession. That's why we have given his name to our most illustrious champagne—the legendary and ever-scarce Dom Pérignon. We have given our own name, Moët, to a champagne made in the same great tradition. Dry, dazzling, inspired, Moët has become the most celebrated champagne of France, and the world. So enjoy a taste of greatness soon: Moët Champagne.

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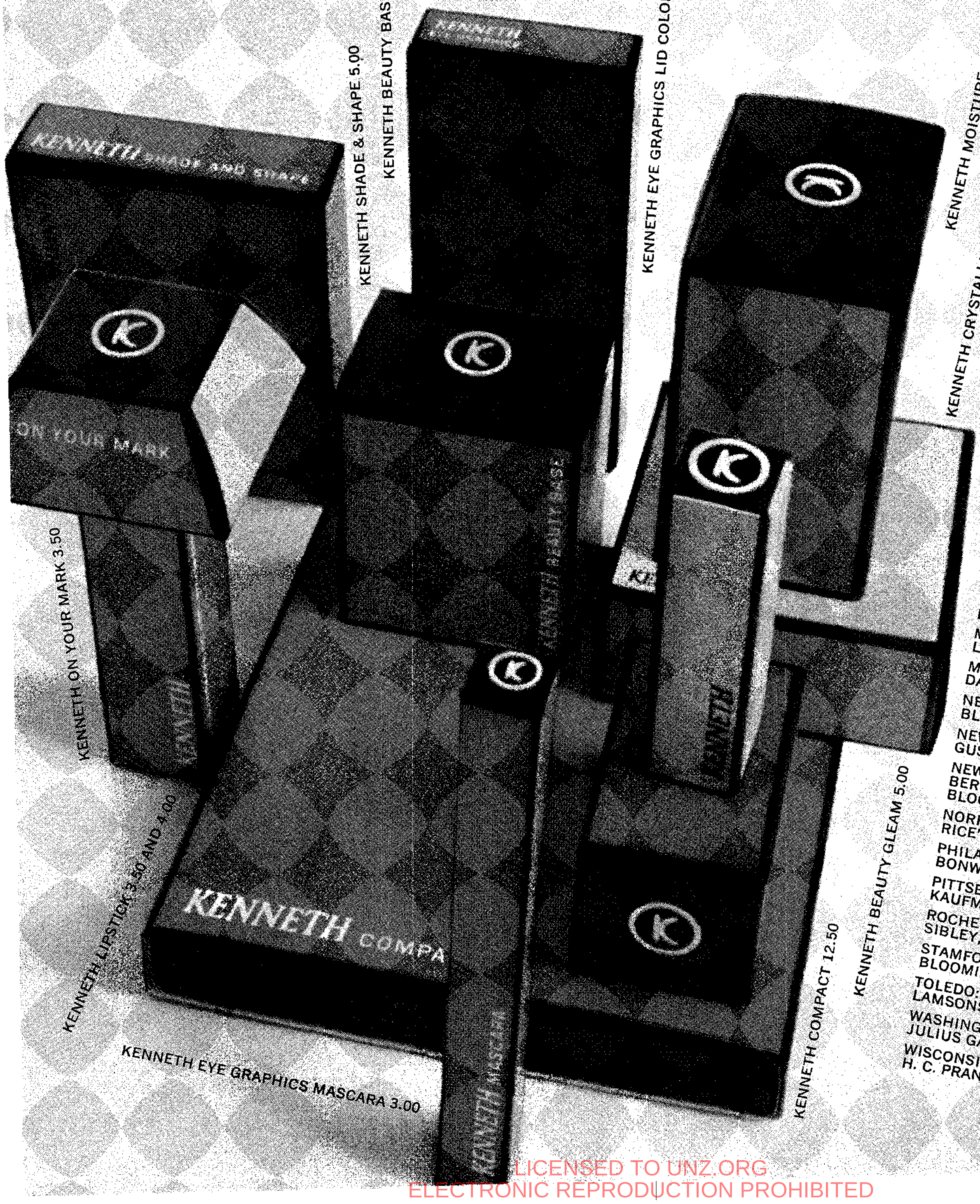
MOËT

"I can't make you look sexy. I can't make you look exotic. I can't make you look alluring.

I can make you look young." KENNETH

Women become Kenneth disciples because he makes them look young.


KENNETH SHADE & SHAPE 5.00
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Where you can buy Kenneth products to make you look young:

ALLENTOWN, PA.:
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DETROIT:
J. L. HUDSONS
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BURDINES
HOUSTON:
FOLEYS
MEMPHIS:
LOWENSTEINS
MINNEAPOLIS/ST. PAUL:
DAYTON'S
NEW JERSEY:
BLOOMINGDALE'S
NEW ORLEANS:
GUS MAYER
NEW YORK:
BERGDORF GOODMAN
BLOOMINGDALE'S
NORFOLK, VA.:
RICE'S
PHILADELPHIA:
BONWIT TELLER
PITTSBURGH:
KAUFMANNS
ROCHESTER:
SIBLEY, LINDSAY & CURR
STAMFORD, CONN.:
BLOOMINGDALE'S
TOLEDO:
LAMSONS
WASHINGTON, D.C.:
JULIUS GARFINCKEL
WISCONSIN:
H. C. PRANGE

GOINGS ON ABOUT TOWN

person at the admissions desk in the public lobby no earlier than thirty minutes before each meeting. Meetings usually convene at 10:30 or 11 and at 2:30 or 3, Mondays through Fridays. (General Assembly Building, First Ave. at 45th St.)...¶ Hour-long tours leave the lobby of the General Assembly Building every fifteen minutes or so from 9 to 4:45 daily.

Poetry Readings—George Starbuck reading from his own works. (Eisner and Lubin Auditorium, Loeb Student Center, Washington Sq. S. and LaGuardia Pl. Friday, Dec. 13, at 4:30. No tickets necessary.)...¶ Isabella Gardner and Karl Shapiro reading from their own works. (Poetry Center, Y.M.H.A., Lexington Ave. at 92nd St. FI 8-1500. Monday, Dec. 16, at 8:30.)...¶ Jean Valentine and Daniel Berrigan reading from their own works. (Solomon R. Guggenheim Museum Auditorium, 1071 Fifth Ave., at 89th St. Tuesday, Dec. 17, at 8:30. For tickets call YU 8-6783.)

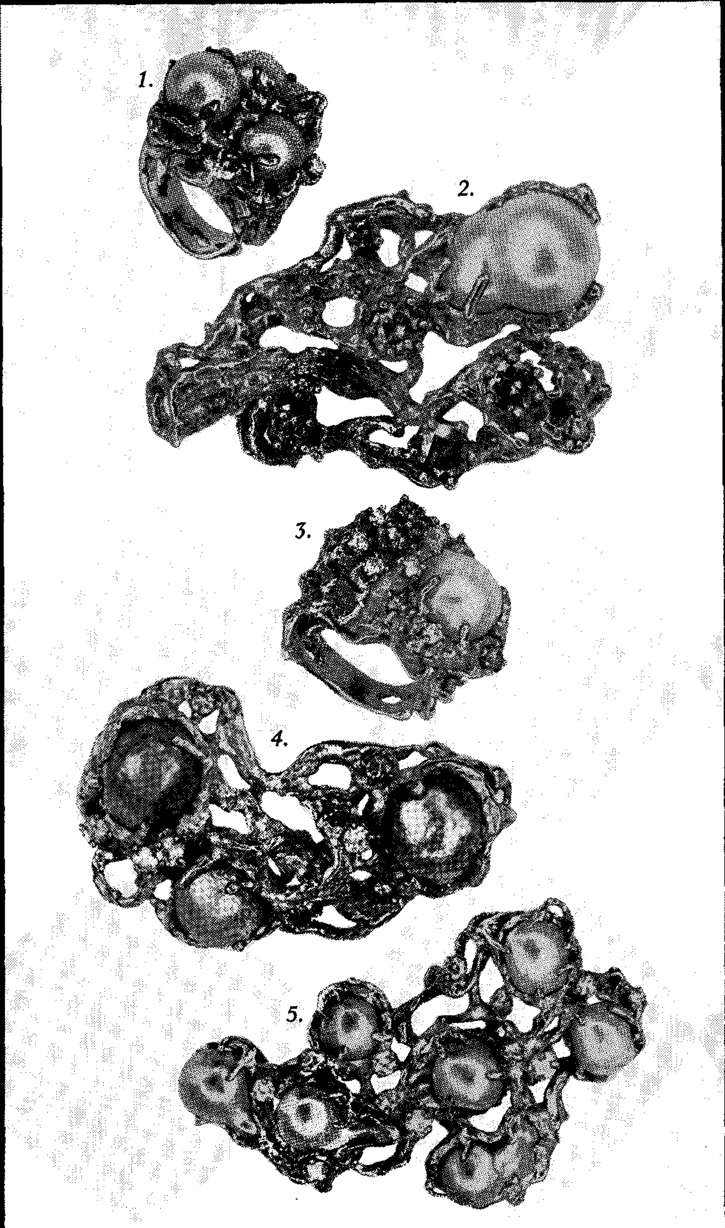
Lectures—"Manuscript Illumination in Renaissance Flanders: The Iconography of the *Horae*," by Jethro Hurt. Thursday, Dec. 12, at 5:40....¶ "Caravaggio and Fetti: Jacob's Dream," by Pamela Askew, Friday and Saturday, Dec. 13-14, at 3. (Frick Collection, 1 E. 70th St. Admission is free.)

Coliseum Antiques Fair—A plethora of bibelots, and then some. (Coliseum, Columbus Circle. Thursday through Saturday, Dec. 12-14, from 1 to 11, and Sunday, Dec. 15, from 1 to 7.)

Auctions—At the Parke-Bernet Galleries, 980 Madison Ave., at 76th St. (Exhibition hours: Tuesdays through Saturdays, 10 to [illegible].)—Thursday, Dec. 12, at 1:45: St. Louis, Clichy, Baccarat, and other paperweights; from several collectors....¶ Thursday, Dec. 12, at 8: Nineteenth- and twentieth-century paintings and sculptures by such artists as André Derain, Maurice de Vlaminck, Man Ray, and Jacob Epstein; the property of Mr. and Mrs. David Lloyd Kreeger and others.... ¶ Friday, Dec. 13, at 1:45: English porcelain and pottery, from various owners....¶ Saturday, Dec. 14, at 1:45: English furniture and decorations, from a variety of sources, including items formerly in the inventory of French & Co....¶ Tuesday, Dec. 17, at 10:15: English and American silver, from the estate of Mary Lyle Price and from other sources....¶ Tuesday, Dec. 17, at 1:45: The Albert Lewin collection of primitive and folk art, and modern paintings and drawings....¶ Wednesday, Dec. 18, at 10:15 and 1:45: Russian works of art, including icons from the sixteenth century through the twentieth, *objets de vertu* by Carl Fabergé, Moscow and St. Petersburg silver, porcelain plates and tea services from the Imperial Collection, and paintings by Ilya Repin; from many owners. Exhibition starts Saturday, Dec. 14....¶ Wednesday, Dec. 18, at 8: Impressionist and modern drawings and watercolors by such artists as Chagall, Cézanne, Picasso, and Vuillard; from a number of collections....¶ Thursday, Dec. 19, at 10:15: Oriental art, comprising pottery and porcelain, sculptures, and early ritual bronzes; collected by Mr. and Mrs. Arthur Bechhoefer and others. Exhibition starts Friday, Dec. 13.

Museum of Modern Art Film Library—Dec. 12 at 2, 5:30, and 8: "Craig's Wife" (1936), with Rosalind Russell and John Boles....¶ Dec. 13 at 2 and 5:30: "Theodora Goes Wild" (1936), with Irene Dunne and Melvyn Douglas....¶ Dec. 14 at 11:30: "Morocco" (1930), with Marlene Dietrich and Gary Cooper....¶ Dec. 14 at 3 and 5:30: "Only Angels Have Wings" (1939), Jean Arthur and Cary Grant....¶ Dec. 15 at 2 and 5:30: "His Girl Friday" (1940), with Rosalind Russell and Cary Grant....¶ Dec. 16 at 2 and 5:30: "Angels Over Broadway" (1940), with Rita Hayworth and Thomas Mitchell. ...¶ Dec. 17 at 2 and 5:30: "Two in a Taxi" (1941), with Anita Louise....¶ Dec. 18 at 2 and 5:30: "It Happened One Night" (1934), with Claudette Colbert and Clark Gable. (A limited number of reservations are available, but only to those applying for them in person at the Museum, 11 W. 53rd, after 11 on the day of the showing or, if it is a Sunday, after noon.)

Individuality—a unique possession. Jewelry by Arthur King



1. *Ring, 18k gold, baroque cultured pearls with white and colored diamonds. $725.*
2. *Brooch, 18k gold, South Sea pearl with white and colored diamonds. $2700.*
3. *Ring, 18k gold, South Sea pearl with white and colored diamonds. $1050.*
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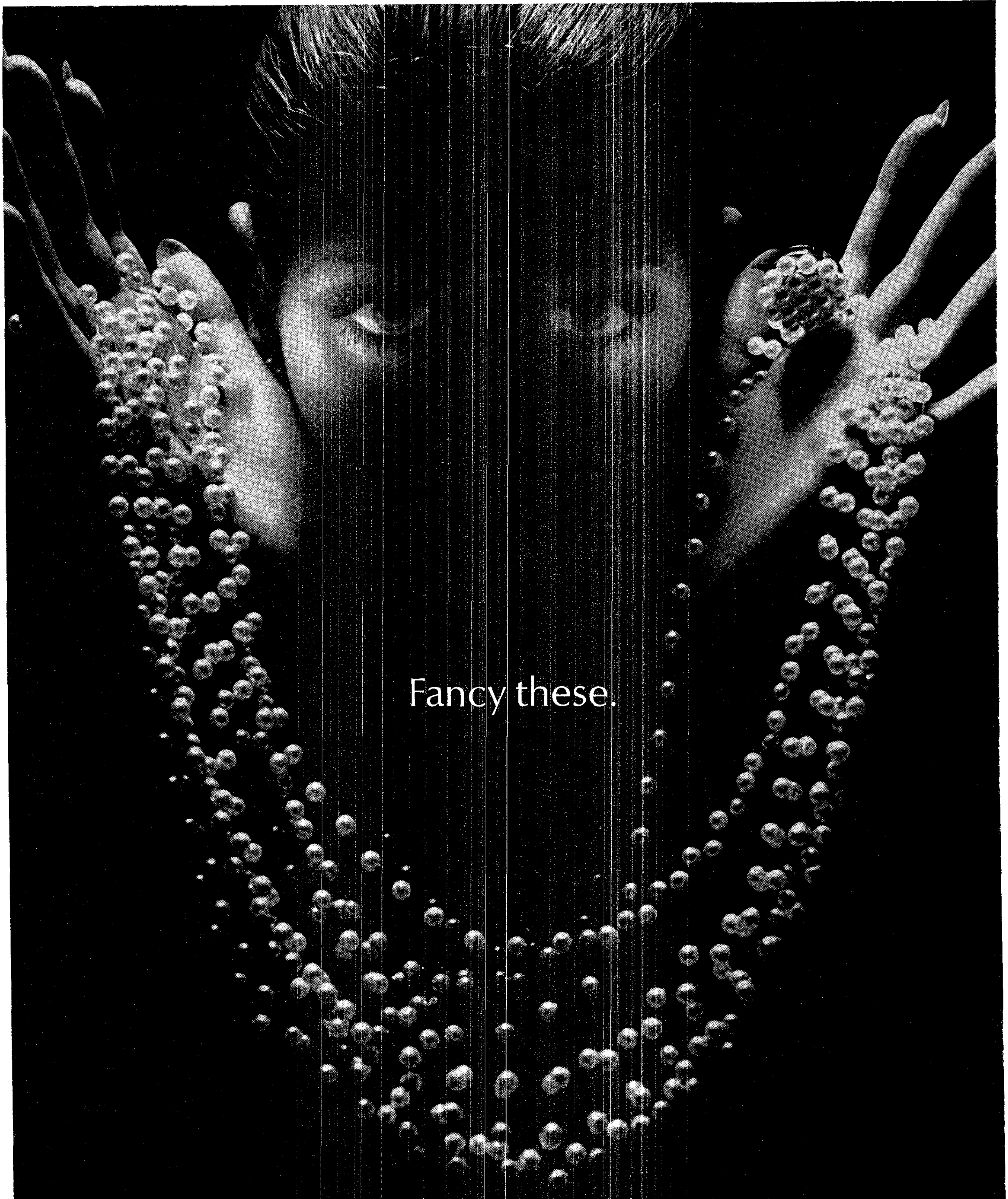
5. *Brooch, 18k gold, baroque cultured pearls and diamonds. $1300. (photos approximately actual size)*

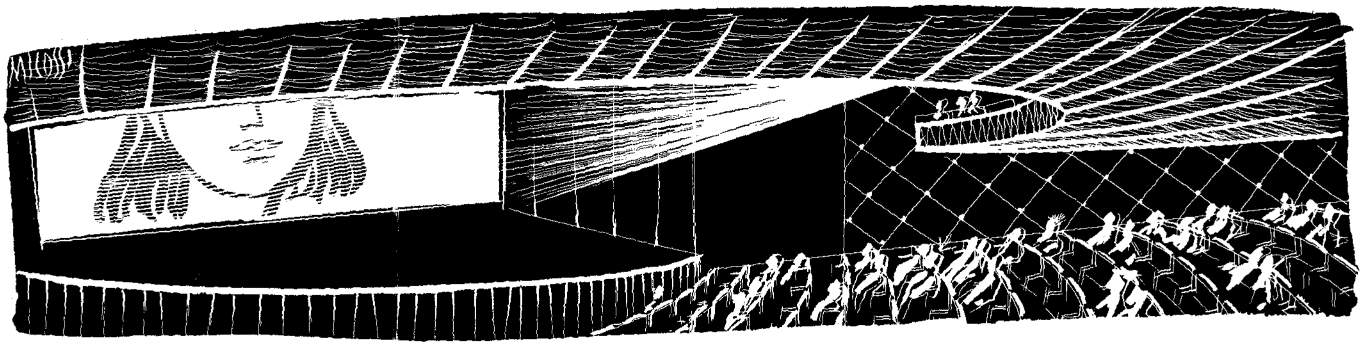
Arthur King.
15 East 57 Street, New York City 10022 PL 5-1386 in London at Fortnum and Mason Ltd.


Fancy these.

Little costume pearls that we send across the sea for a light and lacy strandwork. Like no other. And now from all the world, we have necklaces, bracelets, great and little pins. Like no other. Some heirloom looking, some couture looking, some so precious looking you can leave your rubies in the safe. At Field's in Chicago. In Costume Jewelry on One. There's nothing like it back home.

Marshall Field & Company

GOINGS ON ABOUT TOWN



MOTION PICTURES

S	M	T	W	T	F	S
				12	13	14
15	16	17	18			

Belle de Jour—The most beautiful, generous, lightly self-mocking piece of pornography that can ever have been made by a great filmmaker. Luis Buñuel's view of a high-bred girl with sadomasochistic longings is compassionately comic and formally the work of a master. In French. (Art, 36 E. 8th, OR 3-7014; and Regency, B'way at 67th, 724-3700.)

The Bride Wore Black—Jeanne Moreau as a multiple murderess in a film that turns out to be not a thriller but a peculiar and tenderly comic account of love for a murdered husband. François Truffaut directs, in open homage to Hitchcock; he is out of his genre, but the stamp of his grace is there. In French. (Waverly, 6th Ave. at 3rd, WA 9-8037; through Dec. 17.)

The Charge of the Light Brigade—Tony Richardson's epic-satire on war and the Victorians has very pretty color and some witty bits. Written by Charles Wood. With John Gielgud, Trevor Howard, David Hemmings, and Vanessa Redgrave. (Fine Arts, 130 E. 58th, 755-6030.)

Cool Hand Luke (1967)—Paul Newman as a Southern misfit who refuses to be pushed around. (Symphony, B'way at 95th, AC 2-6600; starting Dec. 18.)

Cul-de-Sac (1966)—Directed by Roman Polanski, with Donald Pleasence and Françoise Dorléac. (Thalia, B'way at 95th, AC 2-3370; Dec. 13-14.)

Enter Laughing (1967)—Comedy about show business in the thirties, directed by Carl Reiner from his own novel, with José Ferrer and Elaine May. (Charles, Ave. B at 12th, GR 5-4210; through Dec. 17.)

The Exterminating Angel (1962)—About a grand dinner party, which the guests mysteriously can't quit. Directed by Luis Buñuel. In Spanish. (Thalia, B'way at 95th, AC 2-3370; Dec. 13-14.)

Faces—John Cassavetes' view of the meaninglessness of life for the well-heeled middle-aged. His semi-documentary method is controversial, and what some find agonizingly true and beautiful others may find merely embarrassingly clumsy. With John Marley, Gena Rowlands, Lynn Carlin, and Seymour Cassel. (Little Carnegie, 146 W. 57th 246-5123.)

Finian's Rainbow—Some of the whimsey in this message operetta is hard to take but Francis Ford Coppola has done his best to keep things moving in a carefree, relaxing way. He is helped by Petula Clark, Al Freeman, Jr., and Keenan Wynn; Fred Astaire is there, too, and Tommy Steele. (Penthouse, B'way at 47th, 757-5450. Weekdays at 8:30 and Sundays at 8. Matinées Wednesdays, Saturdays, and Sundays at 2:30. Reserved seats only.)

From Russia with Love (1964)—The indestructible James Bond (Sean Connery) fighting off a rare assortment of villains and making love to the usual living dolls. (Symphony, B'way at 95th, AC 2-6600; Dec. 12.)

Funny Girl—Audiences in movie musicals always cheer; at this one, the audience in the theatre cheers, too. It's been a long time since the movies have had a big new star like Barbra Streisand. Directed by William Wyler. (Criterion, B'way at 44th, JU 2-1796. Nightly at 8:30. Matinées Wednesdays, Saturdays, and Sundays at 2:30. Extra performances Saturday mornings at 10. Reserved seats only.)

Gone with the Wind (1939)—Nearly four hours of Vivien Leigh, Clark Gable, and thousands of others. (Sheridan, 7th Ave. at 12th, 929-2166; starting Dec. 18.)

The Graduate—Mike Nichols directed (and appears to have written much of) this energetic and often very funny account of a young man hurled into the sea of life and threatening to sink like a stone. With Dustin Hoffman, Anne Bancroft, and Katharine Ross. (R.K.O. 23rd St. Cinema, 8th Ave. at 23rd, 255-7050; starting Dec. 18.)

Hot Millions—Maggie Smith and Peter Ustinov in the first truly funny English comedy for a long time. Directed by Eric Till. If you care for the English, the character of the film is rather moving. The people are tough-tongued, apparently isolated, and secretly immensely good to one another. (Cinema Village, 22 E. 12th, 924-3363. . . . ¶ Charles, Ave. B at 12th, GR 5-4210; and Guild, 33 W. 50th, PL 7-2406; through Dec. 17.)

How I Won the War (1967)—A pitch-black comedy about the horror of war. Directed by Richard Lester, with Michael Crawford as the star. (72nd St. Playhouse, 1st Ave. at 72nd, BU 8-9304; and Waverly, 6th Ave. at 3rd, WA 9-8037; through Dec. 17.)

The Lion in Winter—Imitation wit and imitation poetry at the court of the Plantagenets, in a production that seems to be reaching out for Academy awards. Anthony Harvey directed James Goldman's adaptation of his own play. Peter O'Toole is in great voice and good spirits as Henry II; Katharine Hepburn is Eleanor of Aquitaine. (Lincoln Art, 225 W. 57th, JU 2-2333. Weekdays at 8:30 and Sundays at 8. Matinées Wednesdays, Saturdays, and Sundays at 2:30. Reserved seats only.)

The Man in the White Suit (1952)—Alec Guinness as the inventor of a fabulous fabric. With Cecil Parker and Joan Greenwood. (Thalia, B'way at 95th, AC 2-3370; Dec. 17-18.)

Mr. Hulot's Holiday (1954)—A romp at a seaside resort, with Jacques Tati. In French. (Thalia, B'way at 95th, AC 2-3370; Dec. 15-16.)

My Uncle (1958)—Directed by and with Jacques Tati. In French. (Thalia, B'way at 95th, AC 2-3370; Dec. 15-16.)

Oliver!—What might have been just another big musical is transformed by love and skill. Carol Reed, his set designer (John Box) and cinematographer (Oswald Morris), and a fine cast of singing actors give a superb demonstration of intelligent craftsmanship. (State I, B'way at 45th, JU 2-5060. Nightly at 8:40. Matinées Wednesdays at 2:30, Saturdays at 2, and Sundays at 2 and 5:30. Reserved seats only.)

Pretty Poison—A subtle and intelligent little psychological thriller, shot on location in Great Barrington. Anthony Perkins and Tuesday Weld give fine performances under the direction of Noel Black. (8th St. Playhouse, 52 W. 8th, GR 7-7874; through Dec. 18.)

Rachel, Rachel—A beautiful, affectionate film, a lot more energizing than a bald statement of the plot sounds, about the first affair of a thirty-five-year-old schoolteacher. Joanne Woodward plays her with piercing detail and humor. This is Paul Newman's first piece of direction in the cinema, and it is very good. (Beekman, 2nd Ave. at 66th, RE 7-2622; through Dec. 14.)

Romeo and Juliet—Franco Zeffirelli's version features teen-agers and sword fights and extravagant grand passions. (Paris, 4 W. 58th, 688-2013.)

Shanghai Express (1932)—Revolutionaries and politics in the Orient. With Marlene Dietrich and Clive Brook. (Bleecker St. Cinema, 144 Bleecker St., OR 4-3210; Dec. 14-15.)

Star!—If only the musical numbers were better staged, one could forgive everything—even Julie Andrews' cold, hard impersonation of Gertrude Lawrence. (Rivoli, B'way at 49th, 247-1633. Nightly at 8:30. Matinées Wednesdays, Saturdays, and Sundays at 2:30. Reserved seats only.)

The 10th Victim (1965)—Marcello Mastroianni and Ursula Andress are the stars of this movie about licensed sudden death in the twenty-first century. In Italian. (Thalia, B'way at 95th, AC 2-3370; Dec. 12.)

That Man from Rio (1964)—Directed by Philippe de Broca, with Jean-Paul Belmondo. In French. (Thalia, B'way at 95th, AC 2-3370; Dec. 12.)

Thunderball (1965)—James Bond fighting and making love on land and sea and even under the sea. Starring Sean Connery, of course. (Symphony, B'way at 95th, AC 2-6600; Dec. 12.)

Touch of Evil (1958)—An Orson Welles film, with Charlton Heston and Janet Leigh. (Bleecker St. Cinema, 144 Bleecker St., OR 4-3210; Dec. 16-17.)

2001: A Space Odyssey—A vision of life in thirty-three years' time, directed and produced by Stanley Kubrick from his own screenplay with Arthur C. Clarke. Sometimes hideously funny and always troubling, for the men who have minutely progressed from apes turn out to be less equipped for life than their computers. The film is a true sci-fi myth—one of the first, and certainly the most poetic and far-reachingly intelligent. (Cinerama, B'way at 47th, 265-5711; through Dec. 17. Nightly at 8:30. Matinées Saturday at 2:30 and Sunday at 2 and 5:15. Reserved seats only. . . . ¶ Murray Hill, 160 E. 34th, 685-7652; and Loew's Ciné, 3rd Ave. at 86th, 427-1332; starting Dec. 18.)

Wait Until Dark (1967)—Audrey Hepburn, blind and alone in a Village apartment, pits herself against three murderous crooks. Terence Young directed. (Symphony, B'way at 95th, AC 2-6600; starting Dec. 18.)

Warrendale—Children mentally in trouble, aged from about five to eighteen, observed with love and acuteness by Allan King while they are under care in a courageous psychiatric home in Canada called Warrendale. (Carnegie Hall Cinema, 7th Ave. at 57th, PL 7-2131; through Dec. 16.)

Weekend—Jean-Luc Godard's most powerful—and most shocking—film is a surreal investigation of Whither Mankind. With Mireille Darc. In French. (Evergreen, 53 E. 11th, 533-5325. . . . ¶ New Yorker, B'way at 88th, TR 4-9189; through Dec. 18.)

Yellow Submarine—Pop heroes (cartoon versions of the Beatles) in a lighthearted, inventive Pop Art animated feature, with ten songs by the Beatles. (Tower East, 3rd Ave. at 71st, TR 9-1313; through Dec. 17.)

THE MOVIE HOUSES

FILMS OF INTEREST APPEAR IN HEAVY TYPE AND ARE DESCRIBED ON THE PREVIOUS PAGE

EAST SIDE

ART, 36 E. 8th. (GR 3-7014)
BELLE DE JOUR (in French).

EVERGREEN, 53 E. 11th. (533-5325)
WEEKEND (in French).

CINEMA VILLAGE, 22 E. 12th. (924-3363)
HOT MILLIONS.

CHARLES, Ave. B at 12th. (GR 5-4210)
Through Dec. 17: **HOT MILLIONS**; and **ENTER LAUGHING.**
From Dec. 18: "Birds in Peru" (in French), Jean Seberg; and "The Killing Game" (in French), Jean-Pierre Cassel.

GRAMERCY, Lexington at 23rd. (GR 5-1660)
Through Dec. 18: "The Bliss of Mrs. Blossom," Shirley MacLaine, Richard Attenborough; and "Inspector Clouseau," Alan Arkin.

KIPS BAY, 2nd Ave. at 31st. (LE 2-6668)
"The Detective," Frank Sinatra; and "The Thomas Crown Affair," Steve McQueen, Faye Dunaway.

MURRAY HILL, 160 E. 34th. (685-7652)
Through Dec. 17: "Camelot" (1967), Richard Harris, Vanessa Redgrave.
From Dec. 18: **2001: A SPACE ODYSSEY.**

34TH ST. EAST, 241 E. 34th. (683-0255)
Through Dec. 14: "A Flea in Her Ear," Rex Harrison, Rosemary Harris.
From Dec. 15: "Greetings," Robert De Niro.

SUTTON, 3rd Ave. at 57th. (PL 9-1411)
"The Fixer," Alan Bates, Dirk Bogarde.

TRANS-LUX EAST, 3rd Ave. at 58th. (PL 9-2262)
"The Girl on a Motorcycle," Alain Delon.

FINE ARTS, 130 E. 58th. (755-6030)
THE CHARGE OF THE LIGHT BRIGADE.

PLAZA, 42 E. 58th. (EL 5-3320)
"The Subject Was Roses," Patricia Neal, Jack Albertson.

BARONET, 3rd Ave. at 59th. (355-1663)
Through Dec. 16: "Charly," Cliff Robertson, Claire Bloom.
From Dec. 17: "Candy," Charles Aznavour, Marlon Brando.

CORONET, 3rd Ave. at 59th. (355-1663)
"The Birthday Party," Robert Shaw.

CINEMA I, 3rd Ave. at 60th. (PL 3-6022)
"Joanna," Genevieve Waite.

CINEMA II, 3rd Ave. at 60th. (PL 3-0774)
"The Firemen's Ball," a Czechoslovakian film.

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BEEKMAN, 2nd Ave. at 66th. (RE 7-2622)
Through Dec. 14: **RACHEL, RACHEL.**
From Dec. 15, at 8:30: "The Killing of Sister George," Beryl Reid, Susannah York. (Opening night by invitation only.)

68TH ST. PLAYHOUSE, 3rd Ave. at 68th. (RE 4-0302)
Through Dec. 16: "Les Biches" (in French).
From Dec. 17: "Charly," Cliff Robertson, Claire Bloom.

TOWER EAST, 3rd Ave. at 71st. (TR 9-1313)
Through Dec. 17: **YELLOW SUBMARINE.**
From Dec. 18: "Up Tight," Raymond St. Jacques, Ruby Dee.

72ND ST. PLAYHOUSE, 1st Ave. at 72nd. (BU 8-9304)
Through Dec. 17: **HOW I WON THE WAR**; and "You Are What You Eat," a rock film.
From Dec. 18: "Inga" (in Swedish).

TRANS-LUX 85TH ST., Madison at 85th. (BU 8-3180)
"The High Commissioner," Rod Taylor, Christopher Plummer.

ORPHEUM, 3rd Ave. at 86th. (AT 9-4607)
Through Dec. 16: "The Lady in Cement," Frank Sinatra, Raquel Welch.
From Dec. 17: "Candy," Charles Aznavour, Marlon Brando.

LOEW'S CINÉ, 3rd Ave. at 86th. (427-1332)
Through Dec. 17: "Inga" (in Swedish).
From Dec. 18: **2001: A SPACE ODYSSEY.**

86TH ST. EAST, 3rd Ave. at 86th. (249-1144)
"The Ugly Ones," Thomas Milian.

WEST SIDE

BLEECKER ST. CINEMA, 144 Bleecker St. (OR 4-3210)
Through Dec. 13: "The Trip" (1967), Peter Fonda, Susan Strasberg; and "What Ever Happened to Baby Jane?" (1962), Bette Davis, Joan Crawford.
Dec. 14-15: **SHANGHAI EXPRESS**; and "The Dawn Patrol" (1930), Richard Barthelmess, Douglas Fairbanks, Jr.
Dec. 16-17: **TOUCH OF EVIL**; and "Decision at Sundown" (1958), Randolph Scott.
From Dec. 18: "Donovan's Reef" (1963), John Wayne, Elizabeth Allen; and "Forty Guns" (1958), Barbara Stanwyck, Barry Sullivan.

WAVERLY, 6th Ave. at 3rd. (WA 9-8037)
Through Dec. 17: **THE BRIDE WORE BLACK** (in French); and **HOW I WON THE WAR.**
From Dec. 18: To be announced.

8TH ST. PLAYHOUSE, 52 W. 8th. (GR 7-7874)
Through Dec. 18: **PRETTY POISON.**

5TH AVE. CINEMA, 5th Ave. at 12th. (WA 4-8339)
To be announced.

SHERIDAN, 7th Ave. at 12th. (929-2166)
Through Dec. 17: "The Bliss of Mrs. Blossom," Shirley MacLaine, Richard Attenborough; and "Danger: Diabolik," John Phillip Law.
From Dec. 18: **GONE WITH THE WIND.**

GREENWICH, Greenwich Ave. at 12th. (929-3350)
"Negatives," Peter McEnery, Diane Cilento.

R.K.O. 23RD ST. CINEMA, 8th Ave. at 23rd. (255-7050)
Through Dec. 17: "The High Commissioner," Rod Taylor, Christopher Plummer.
From Dec. 18: **THE GRADUATE.**

CRITERION, B'way at 44th. (JU 2-1796)
FUNNY GIRL.

STATE I, B'way at 45th. (JU 2-5060)
OLIVER!

DEMILLE, 7th Ave. at 47th. (265-8431)
"The Shoes of the Fisherman," Anthony Quinn, Oskar Werner. (Nightly at 8:30. Matinées Wednesdays and Saturdays at 2:30, and Sundays at 2. Reserved seats only.)

CINERAMA, B'way at 47th. (265-5711)
Through Dec. 17: **2001: A SPACE ODYSSEY.**
From Dec. 18: Theatre closed.

PENTHOUSE, B'way at 47th. (757-5450)
FINIAN'S RAINBOW.

RIVOLI, B'way at 49th. (247-1633)
STAR!

GUILD, 33 W. 50th. (PL 7-2406)
Through Dec. 17: **HOT MILLIONS.**
From Dec. 18: "Doctor Dolittle" (1967), Rex Harrison, Samantha Eggar.

MUSIC HALL, 6th Ave. at 50th. (PL 7-3100)
"The Impossible Years," David Niven, Lola Albright.

FESTIVAL, 6 W. 57th. (581-2323)
"The Magus," Anthony Quinn, Michael Caine.

CINEMA 57 RENDEZVOUS, 110 W. 57th. (JU 6-4448)
Dec. 12: "The Lady in Cement," Frank Sinatra, Raquel Welch.
From Dec. 13: Theatre closed.

LITTLE CARNEGIE, 146 W. 57th. (246-5123)
FACES.

CARNEGIE HALL CINEMA, 7th Ave. at 57th. PL 7-2131)
Through Dec. 16: **WARRENDALE.**
From Dec. 17: "Charly," Cliff Robertson, Claire Bloom.

LINCOLN ART, 225 W. 57th. (JU 2-2333)
THE LION IN WINTER.

PARIS, 4 W. 58th. (688-2013)
ROMEO AND JULIET.

CINEMA STUDIO, B'way at 66th. (TR 4-8445)
"Les Biches" (in French).

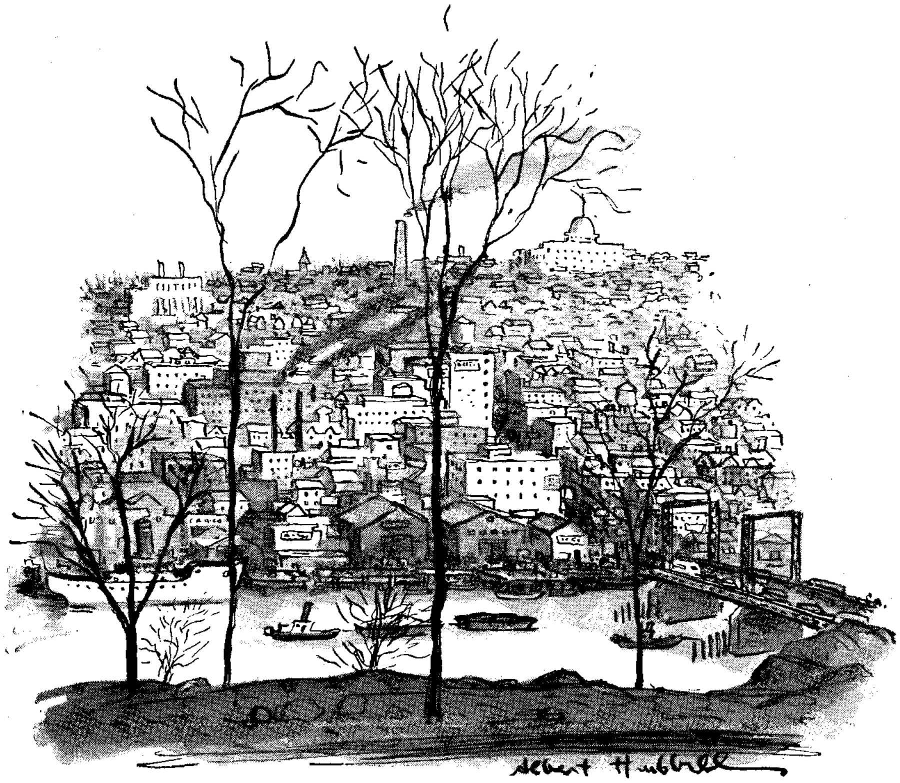
REGENCY, B'way at 67th. (724-3700)
BELLE DE JOUR (in French).

NEW YORKER, B'way at 88th. (TR 4-9189)
Through Dec. 18: **WEEKEND** (in French).

SYMPHONY, B'way at 95th. (AC 2-6600)
Dec. 12: **THUNDERBALL**; and **FROM RUSSIA WITH LOVE.**
Dec. 13-17: "Head," the Monkees; and "Love-Ins," James MacArthur, Susan Oliver.
From Dec. 18: **WAIT UNTIL DARK**; and **COOL HAND LUKE.**

THALIA, B'way at 95th. (AC 2-3370)
Dec. 12: **THAT MAN FROM RIO** (in French); and **THE 10TH VICTIM** (in Italian).
Dec. 13-14: **THE EXTERMINATING ANGEL** (in Spanish); and **CUL-DE-SAC.**
Dec. 15-16: **MY UNCLE** and **MR. HULOT'S HOLIDAY** (both in French).
Dec. 17-18: **THE MAN IN THE WHITE SUIT**; and "Kind Hearts and Coronets" (1950), Alec Guinness, Valerie Hobson.

MIDTOWN, B'way at 99th. (AC 2-1200)
"You Are What You Eat," a rock film; and "What's Up, Tiger Lily?" (1966), Tatsuya Mihashi.



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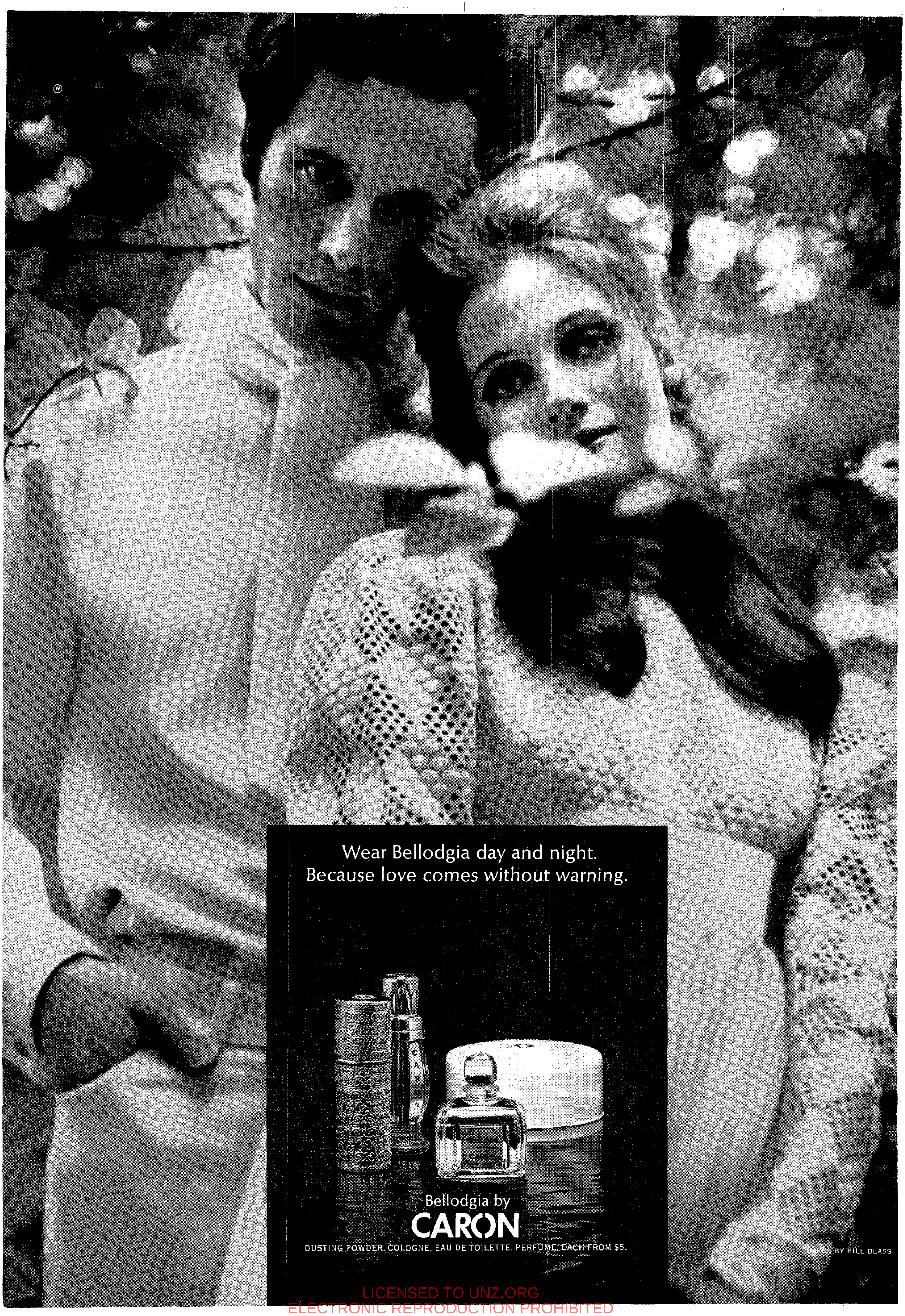

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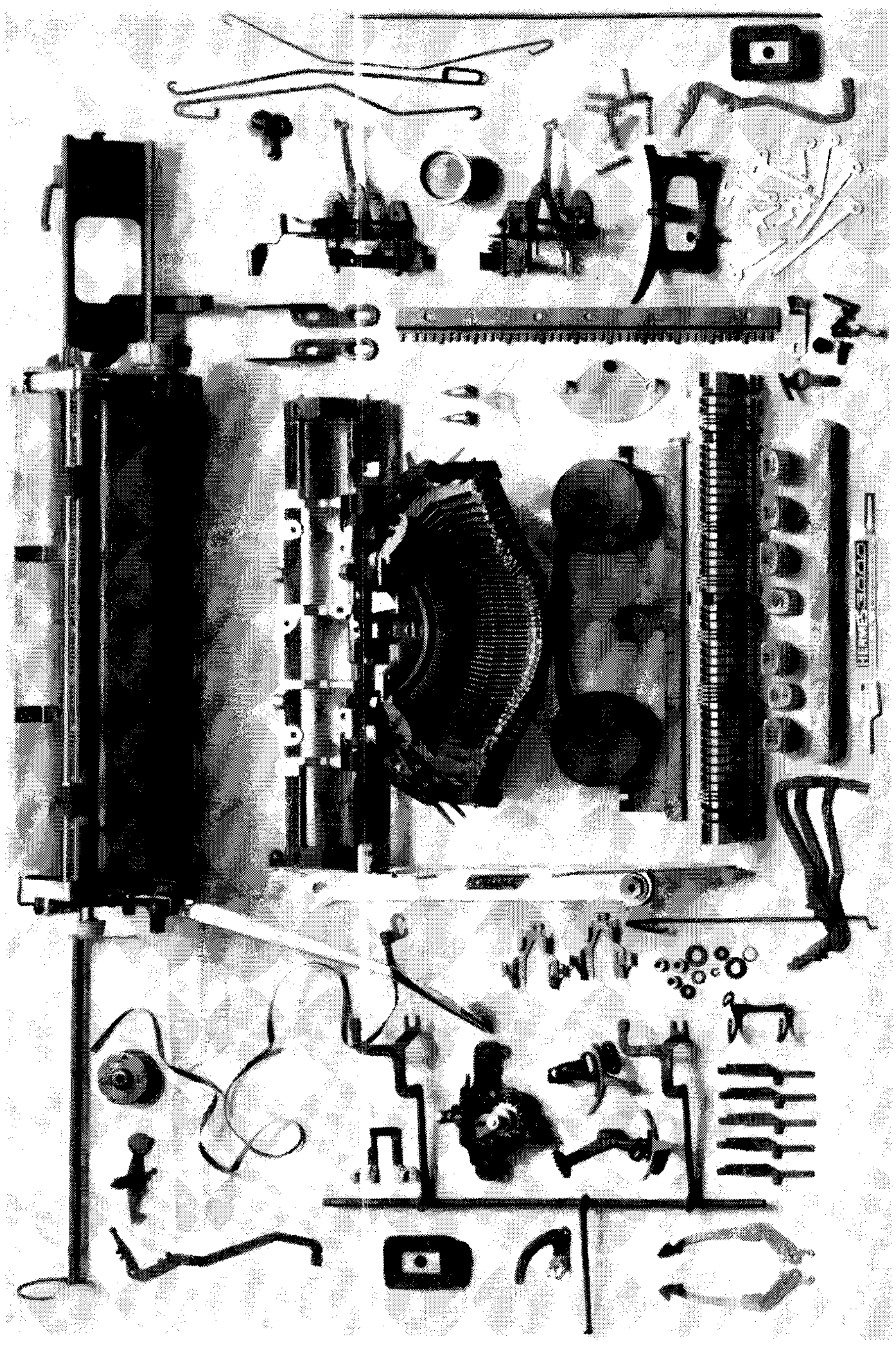

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It's more machine than you'll need all the time. But when you want to pull out all the stops, they'll be there.

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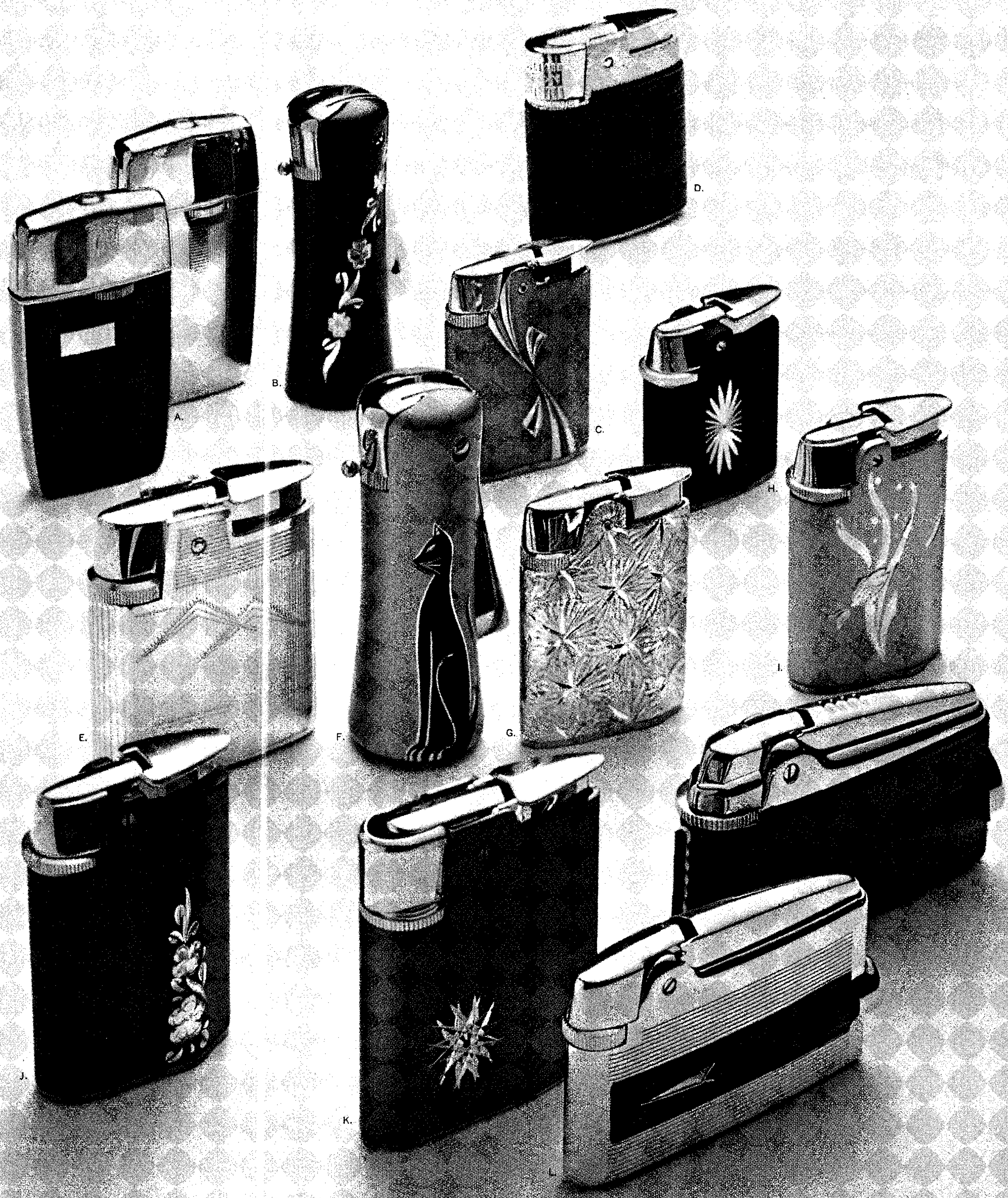

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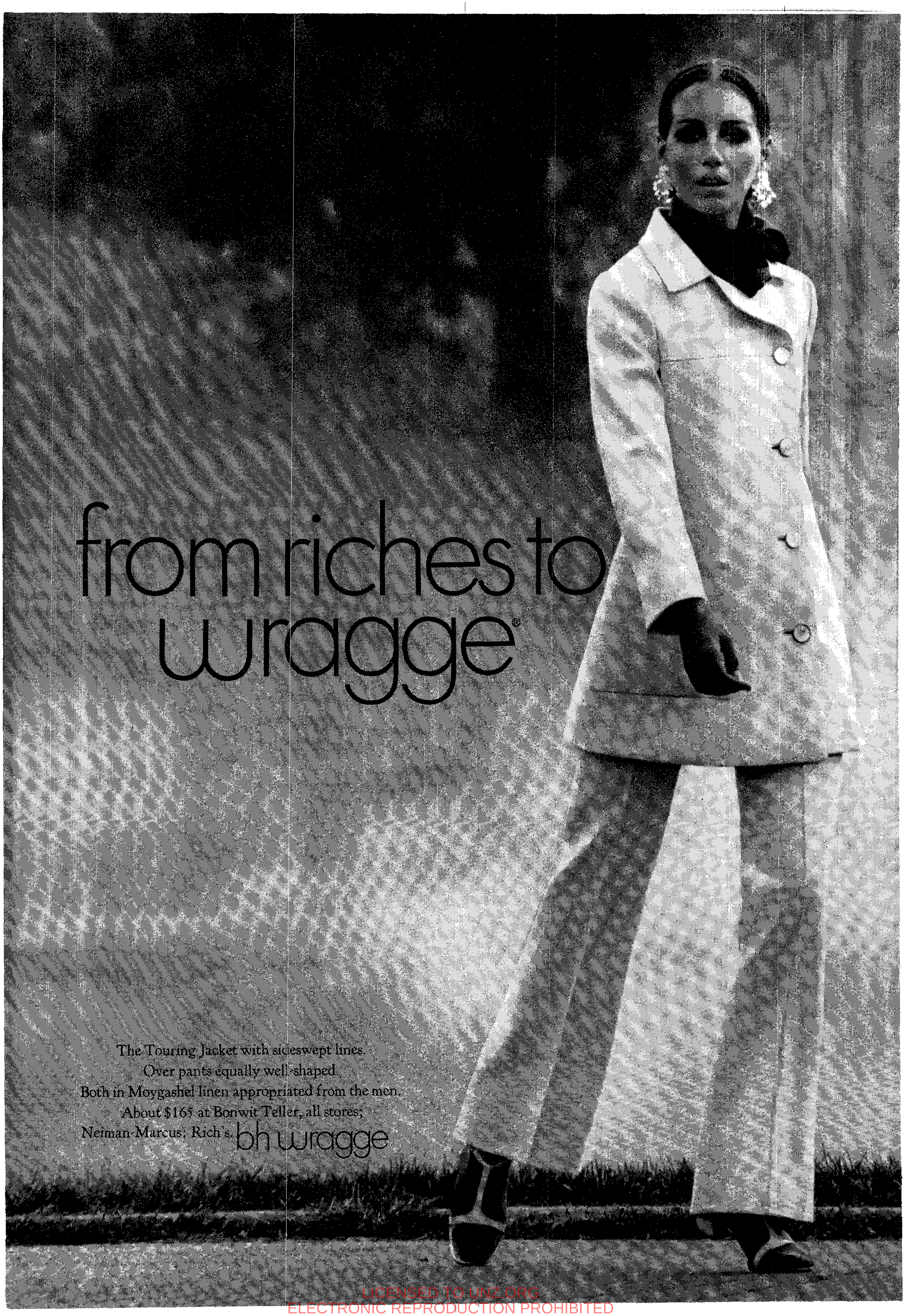
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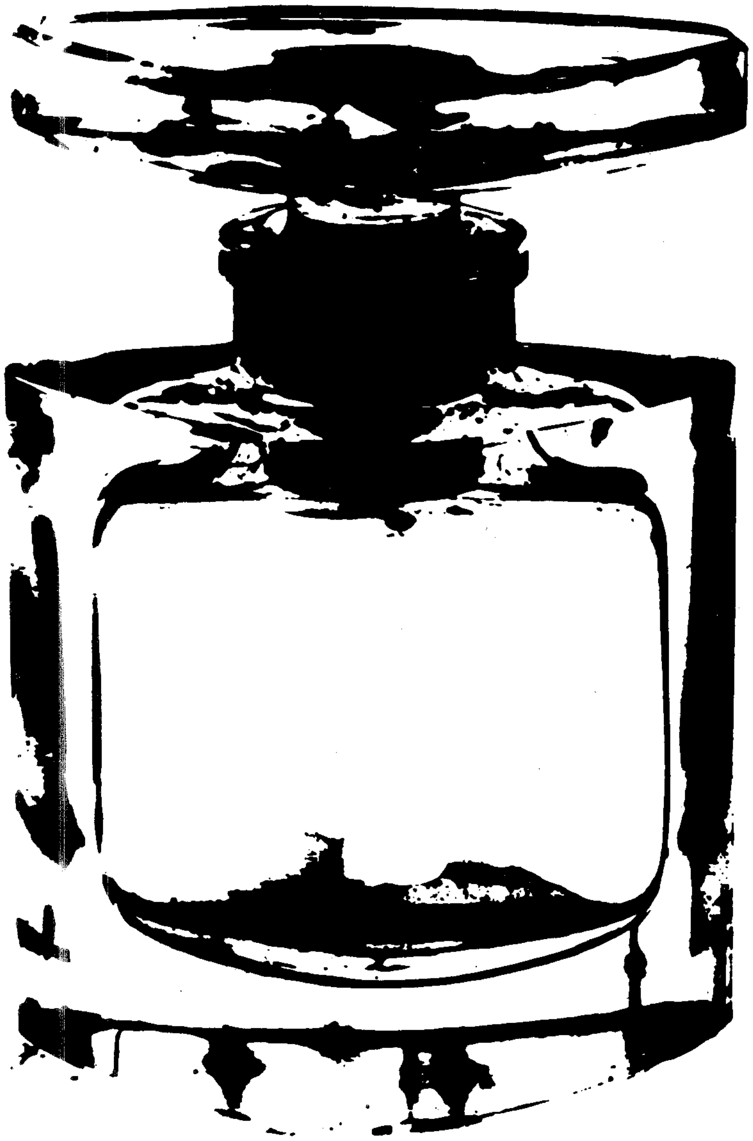

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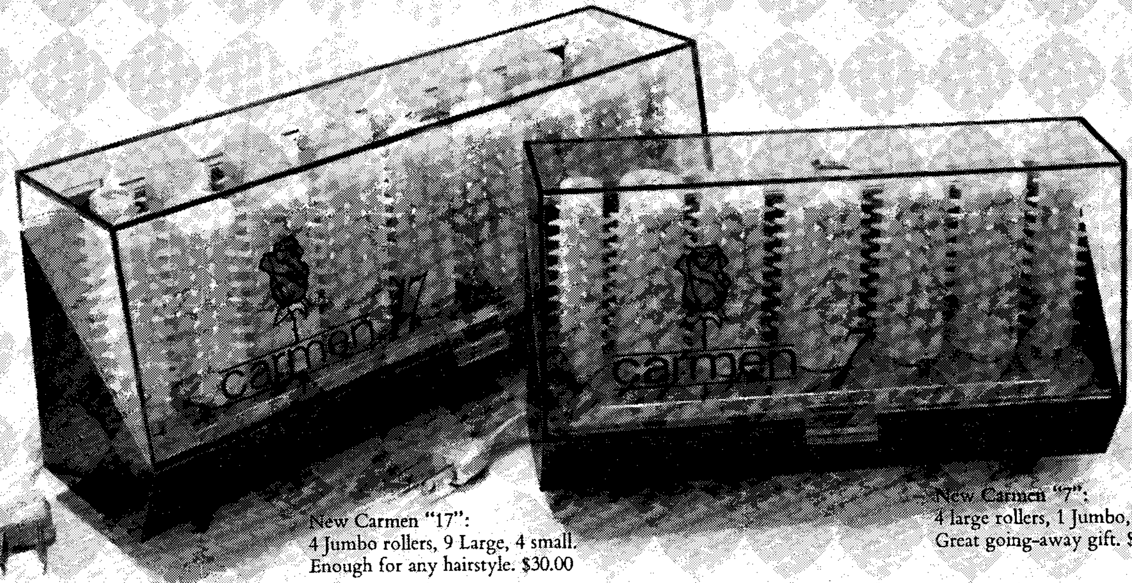

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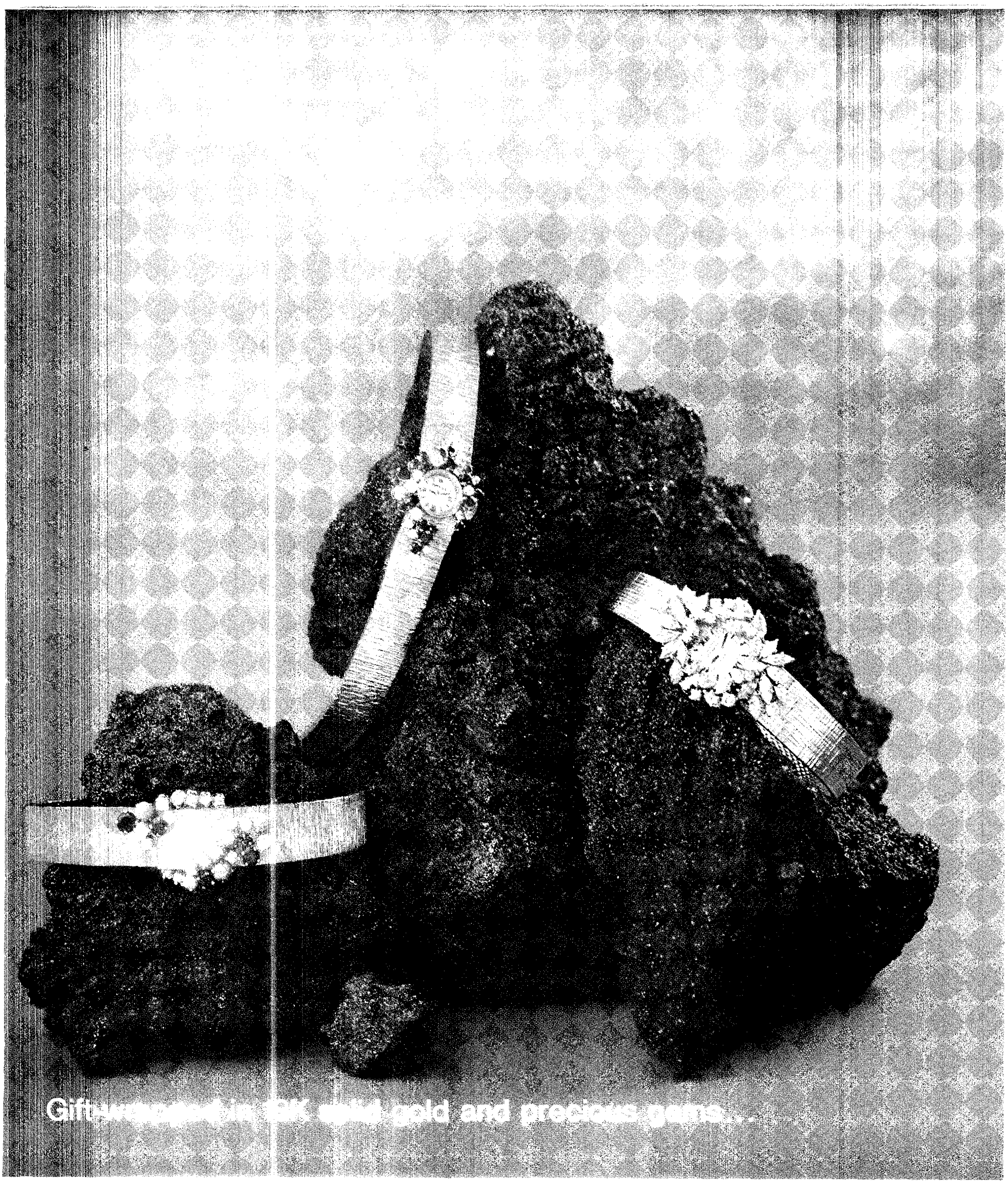

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"'The Lion In Winter' triumphs...brilliant! Peter O'Toole is superb. Katharine Hepburn certainly crowns her career. She is simply stunning. This year the Oscar would be hers by right of performance. We can but marvel at the handiwork of Hepburn and O'Toole. The excellence is complete."

–Judith Crist, New York Magazine

"'The Lion In Winter' is a major triumph! Katharine Hepburn gives perhaps the finest characterization of her entire career!"

–Arthur Knight, Saturday Review

"Whatever else you see this year, see 'The Lion In Winter.' Oscar, make ready. *The* smash success. Peter O'Toole has never been this good—Katharine Hepburn has never been better. The richest feast of dialogue that ever dazzled your ear."

–Ladies' Home Journal

"O'Toole and Hepburn are memorable and matchless. You'll never see better performances. These are both Oscar bait outings. The film is fascinating. The dialogue is sparkling, witty, bitter and brilliant. The casting is superb." *–Cosmopolitan*

"'The Lion In Winter' is not to be missed! A brilliant film! Unequaled anywhere..." *–Harper's Bazaar*

"A feast of a film." *–Look Magazine*

"'The Lion In Winter' is devastating and superb. It may have been subtitled 'Games People Play.' But what superb and devastating people. And what superb and devastating games." *–Christian Science Monitor*

"'The Lion In Winter' is the year's best... Peter O'Toole and Katharine Hepburn have never been better." *–Commonweal*

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"Do not miss 'The Lion In Winter'...should stun the Oscar nominating committee. James Goldman's script is remarkable in its eloquence. It pours with extraordinary passion and corrosive bite from the lips of O'Toole and Hepburn. Together they offer us one of the greatest dramatic duels since the screen found its voice. Anthony Harvey's direction is flawless and so are John Barry's evocative background music and Douglas Slocombe's marvelous photography. This is a film of dramatic tumult that adds immeasurably to 1968 as a year of astonishing creativity on the screen."

—*Sam Lesner, Chicago Daily News*

"'The Lion In Winter' should take home most of the Oscars for this year. Katharine Hepburn should win the Oscar for the best dramatic acting. There are definite nominations for Peter O'Toole; the director, Anthony Harvey; the writer, James Goldman; the producer, Martin Poll; and Timothy Dalton as Philip, King of France."

—*Sheilah Graham*

★★★★-Four stars...highest rating! "One of the few absolute joys of the year. Peter O'Toole will be up for an Oscar and most likely take it home with him. This is one of the rare pictures where every detail is integrated into perfect shape—the drama, humor, settings, musical score and most important the powerful portrayals of O'Toole and Hepburn."

—*Wanda Hale, New York Daily News*

"'Lion' is a superior movie. Miss Hepburn and O'Toole become leading candidates for Academy Awards."

—*Ernest Schier, Philadelphia Bulletin*

"Peter O'Toole gives one of the best performances of his life. Katharine Hepburn is superb."

—*Len Harris, WCBS-TV*

"A major contender for Oscars. Brilliantly acted and written. We are dazzled by the virtuosity of the acting and the savagery of the verbal duels."

—*Joseph Gelmis, Newsday*

"Katharine Hepburn outdoes herself and her own fine record. She gives a performance that brings a great woman to life...best cinema." *—Archer Winsten, New York Post*

"Dust off an Oscar for Katharine Hepburn. She is magnificent. Peter O'Toole is tremendous. They make a helluva team. 'Lion In Winter' is lusty, lovely, scintillating, delicious ...a regal film for all seasons. Director Anthony Harvey has a film he can be proud of." *—Bob Salmaggi, WINS*

"A lovely idea. The dialogue is witty, the movie (directed with evident pleasure by Anthony Harvey) is outdoorsy and fun, full of the kind of plotting and action people used to go to just plain movies for. The acting is joyful and solid, with a certain satisfying ferocity." *—Renata Adler, New York Times*

"This is a picture to see, if only for the pleasure of watching acting in the grand style and seeing how Oscars should be won. Miss Hepburn and O'Toole turn in two of the finest performances of the year." *—Bob Carr, The Detroit News*

"Breath-taking... Mr. O'Toole gives his most impressive performance...Miss Hepburn is incomparable, shifting from tears, to tenderness, to hate." *—Paine Knickerbocker, San Francisco Chronicle*

"'The Lion In Winter' is magnificent—one of the finest films I have ever seen. If Katharine Hepburn doesn't win an Oscar somebody isn't paying attention." *—Allen Jeferys, WABC-TV*

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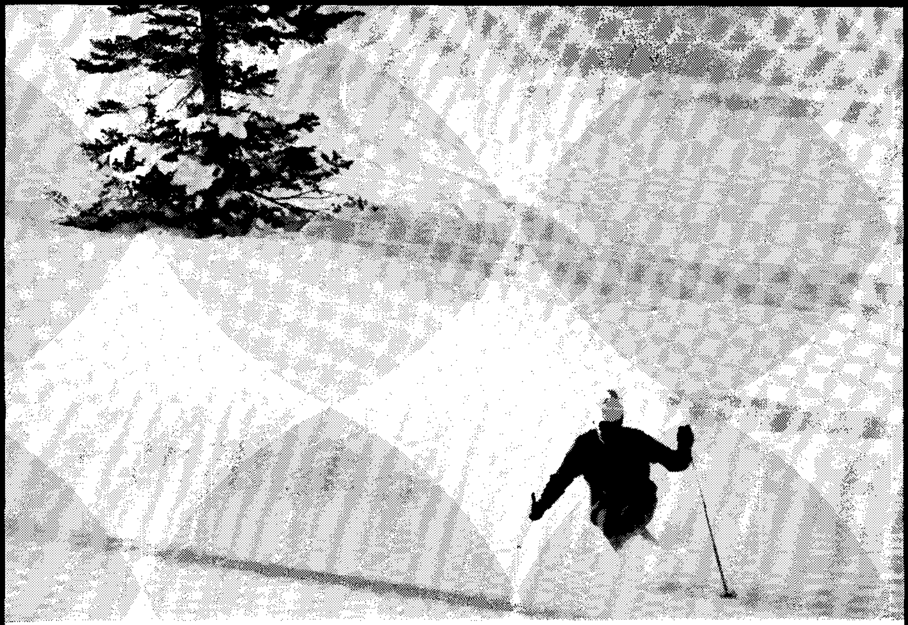

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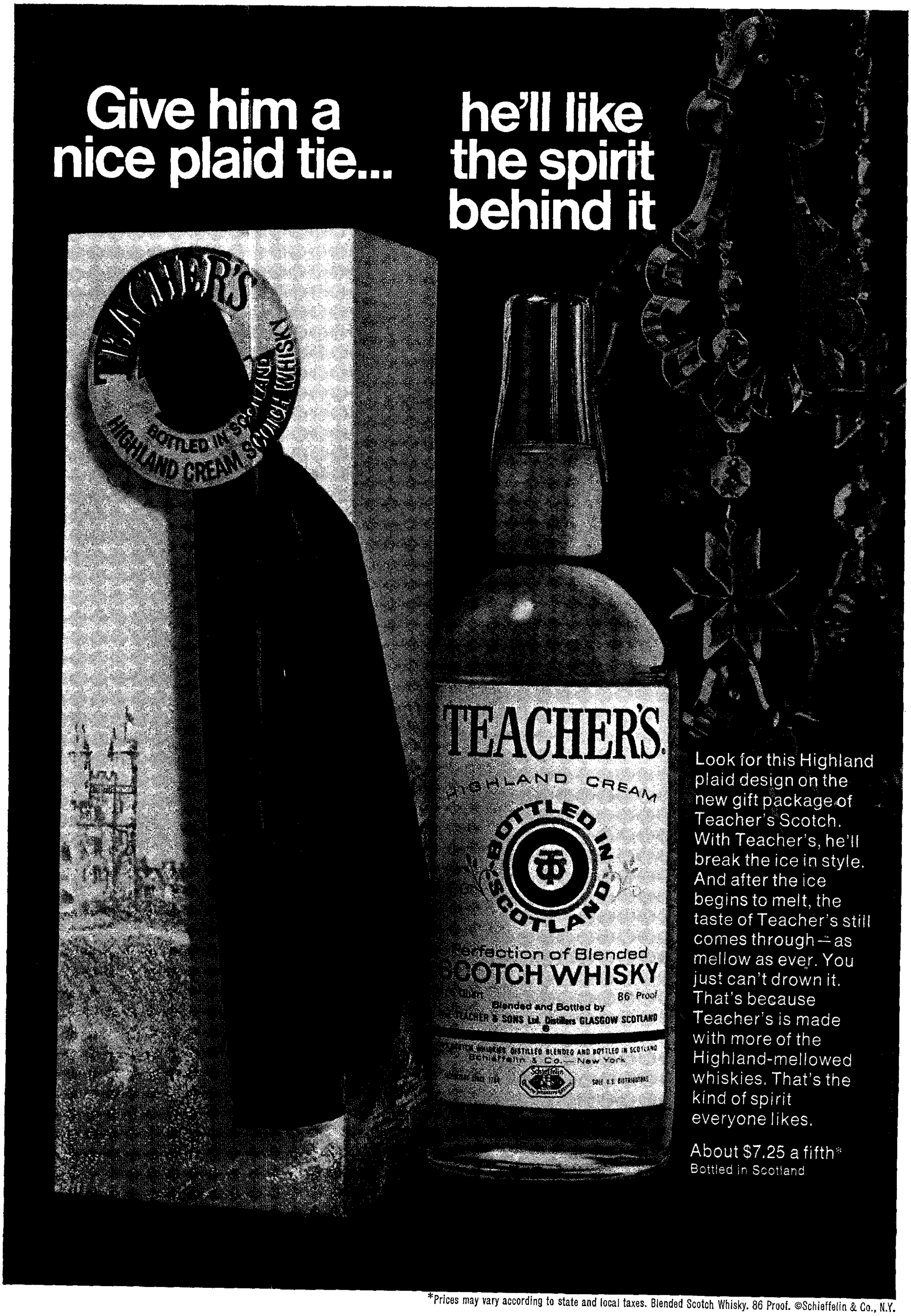
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THE NEW YORKER

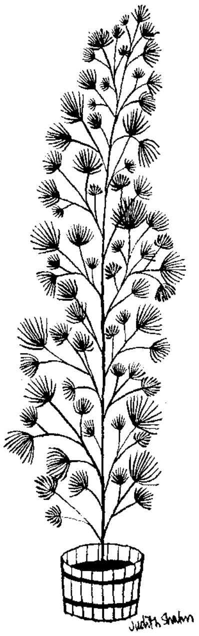
THE TALK OF THE TOWN

Notes and Comment

CENTRAL PARK, with its collection of exotic as well as barnyard animals, its sentimental glyphic population, its hidden, random flourishes of music, and its autumnal smell of something sweet on fire, suggests the dream of some enormous granite entity. This notion came to us during a stroll through the Park the other afternoon. The Park, almost empty of people, was filled with a cold, dry yellow light and crackling drifts of red and brown leaves. Near a curve of the bridle path not far from the West Ninety-sixth Street entrance, we discovered a gray cement cube. It measured about eight inches on a side, appeared deeply rooted in the ground, and had an arrow embedded in its top. The arrow, which was the delicate, weathered color of verdigris, pointed southeast. On the east bank of the Pond, near a big fallen willow tree whose trunk was splintered and whose crown splayed out in the dark, still water, we picked up an ancient scrap of newspaper. It was printed in Chinese characters. From the path beside the Reservoir we watched a triangle of white ducks; they were swimming southeast. We headed in the direction indicated by the arrow and the flock of ducks and, in due course, found ourself in the hollow where the carrousel is. The light slanting through the network of branches caught the glossy flanks of the wooden horses, which just then were motionless. Presently, a bell clanged, the carrousel started up, and a series of sad arpeggios, timed to the slow rising and falling of the horses on their metal poles, became "Rosamunde." The only riders were a young woman with long red hair and a three-year-old boy in a white cap seated in front of her on her horse. They were regarded by a smiling, gray-haired woman in a black fur coat who was standing near the ticket booth. She waved at the boy, and the boy raised his arm to wave back, but it was too late; the woman passed from his view as the carrousel turned, and he was waving, instead, at the red-and-cream striped brick wall of the carrousel housing, which gave way to a portal facing a green field and the sun, another glimpse of wall, and then another portal, this one opening onto leaf-strewn picnic tables under long shadows. After that, he saw the woman in black again. She resumed waving, but the boy jammed his fingers into his mouth and turned his face to the hub, where garish, distorted figures—a monkey, a clown—were depicted. The music ended, the carrousel stopped, and the boy started to cry. We left the hollow, passing a dark rib of rock that jutted out of the grass like part of a more permanent world thrust into this one.

Student Strike

ANYONE who thought that the torturously negotiated agreement that recently ended New York City's thirty-five-day educational shutdown would restore tranquillity to our classrooms and streets must by now know that he was wrong. The striking teachers are back in their classes, all right, but, with the resumption of a full-scale educational program, the children—both in and outside the Ocean Hill-Brownsville demonstration decentralization district—have been caught up in the physical and political turmoil of the battle for control of the schools. Inside the Ocean Hill-Brownsville district, this turmoil has led both to the educational chaos that last week forced the temporary closing of Intermediate School 271, the focal point of the school crisis (we learned several days ago, with some unease, that a number of reporters and cameramen have rented space, on a more or less permanent basis, in several homes facing the school on Herkimer Street), and to the resignation of Dr. Herbert F. Johnson, the state trustee who, under the agreement between the city's Board of Education and the United Federation of Teachers, had been supervising the eight schools in the district. It is not true, as was at first reported, that black militants threatened Dr. Johnson with a knife and locked him in a closet at I.S. 271, but it is true that he felt sadly let down by the failure of an understanding that he thought he had achieved with the dissident Ocean Hill-Brownsville school governing board. A new trustee, Dr. William D. Firman, has been named, and at this writing he is standing firm against the demand of the community board, voiced by its administrator, Rhody A. McCoy, that three principals who, under the terms of the citywide agreement, had been temporarily reassigned until their status could be clarified by the courts be returned to the Ocean Hill-Brownsville schools.


Judith Shahn

Outside the district, the situation looks even more ominous. Opposition to the return of teachers who supported the teachers' strike has manifested itself in the Harlem demonstration decentralization district—perhaps better known as the I.S. 201 complex—and late last week, in what seemed like a replay of the events that sparked the I.S. 271 dispute, demonstrators, including the chairman of the I.S. 201 community school board, David Spencer, physically prevented the entrance of five union teachers into an elementary school, which was then ordered closed by its administrator, Charles E. Wilson. Mr. Wilson was later overruled by the Board of Education, but a boycott by pupils kept the school effectively closed. In Brooklyn, a white principal who had incurred community wrath by supporting the teachers who struck his elementary school in Bedford-Stuyvesant resigned in tears upon receiving, at his home, an anonymous letter that threatened the lives of his children and grandchildren. (Later in the week, he let it be known that he had changed his mind and would return to his post.) And the most ominous of all the new developments is the increasing number of students who have forsaken their classes to demonstrate, or run wild, in the streets and the subways.

The day after Thanksgiving was the first of the holidays that the Board of Education and the United Federation of Teachers had agreed to sacrifice in order to make up lost educational time, and on that afternoon some fifteen hundred members of several student organizations that had formed a coalition called the Citywide Student Strike Committee met at United Nations Plaza to protest both the lost holidays and the lengthening of the school day by forty-five minutes for the next fourteen weeks. As it happened, most of the students at the rally came from ghetto areas that had been relatively unaffected by the school strike, such as Harlem and Bedford-Stuyvesant, and they thus had more reason than most to protest the additional class time. Police overseeing the demonstration, which wound up at Dag Hammarskjöld Plaza, encountered little trouble, however, until Leslie Campbell, a former teacher at I.S. 271 who had been suspended pending the disposition of charges that he had harassed and intimidated union teachers, encouraged the students to "fight for what you want." Then there were sporadic incidents of violence, most of them directed at police, whereupon the police broke up the rally, and crowds of students spread through town, bowling over midtown shoppers, breaking windows, and disrupting traffic. The following Monday, sporadic violence broke out at I.S. 271 and at twelve high schools in Manhattan, Brooklyn, the Bronx, and Queens. Teachers and administrators were assaulted and kicked, and at least one teacher was injured badly enough to be hospitalized, as groups of students-turned-vandals raged from school to school; the outbreaks culminated in a bomb explosion at a Queens school—fortunately, no one was hurt by the blast—and were followed by threats of more bombings. In two days, some sixty boys and girls were arrested for their part in the violence, and by Tuesday Albert Shanker, president of the United Federation of Teachers, was urging his chapter chairmen to "develop our own type of guerrilla war" against the militant students.

More important than Shanker's statement, perhaps, was the recognition expressed by the student leaders that it was they who had the most to lose from the spreading incidents of violence. This recognition brought an effort—pitifully short-lived, it turned out—to restore a spirit of self-discipline, as we found last Tuesday noon when we went down to Washington Square to watch a group of about five hundred student militants prepare for a visit to the uptown City College campus, where Stokely Carmichael, the Prime Minister of the Black Panthers, was to speak. "Do not get on the subway—and I am talking to the males in the group—and knock the windows off the trains," Ellen Sheppard, an eighteen-year-old senior from the High School of Fashion Industries, who is one of the leaders of the Citywide Student Strike Committee, was warning the crowd, which had gathered around the Washington Square fountain. "This is a situation just like narcotics raids," she continued. "You don't have to be the one with the narcotics. If the police come, everybody goes in."

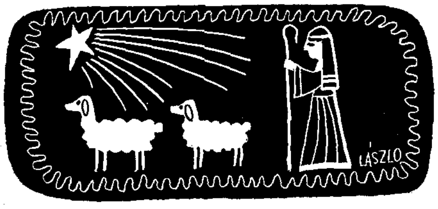
After that warning and further cautions from several self-constituted marshals, the group of boys and girls, most of whom were Negro, set off for the West Fourth Street station of the Independent Subway, and we went with them.

"Hey, Bill!" one boy called to a marshal. "I just saw your brother up there."

"I've got lots of brothers up here," Bill replied, grinning.

Behind him came a more studious-looking boy, who was carrying a book under his arm. "Man," he was saying to a companion, "we should have burned those cops right out of the school this morning."

The subway ride up to City College took place without any incidents. A couple of passengers who got on the train with us predicted that a number of the students would jump off at Forty-second Street and head for the movies, but the contingent we were with, at least, held fast, and when we got to City College, a few minutes after one, we found that about two-thirds of the five hundred students at Washington Square had preceded us to Shepard Hall, where Miss Sheppard, speaking through a portable bullhorn, was urging them, "Clear the entrances, don't try to enter the building, and stay cool."

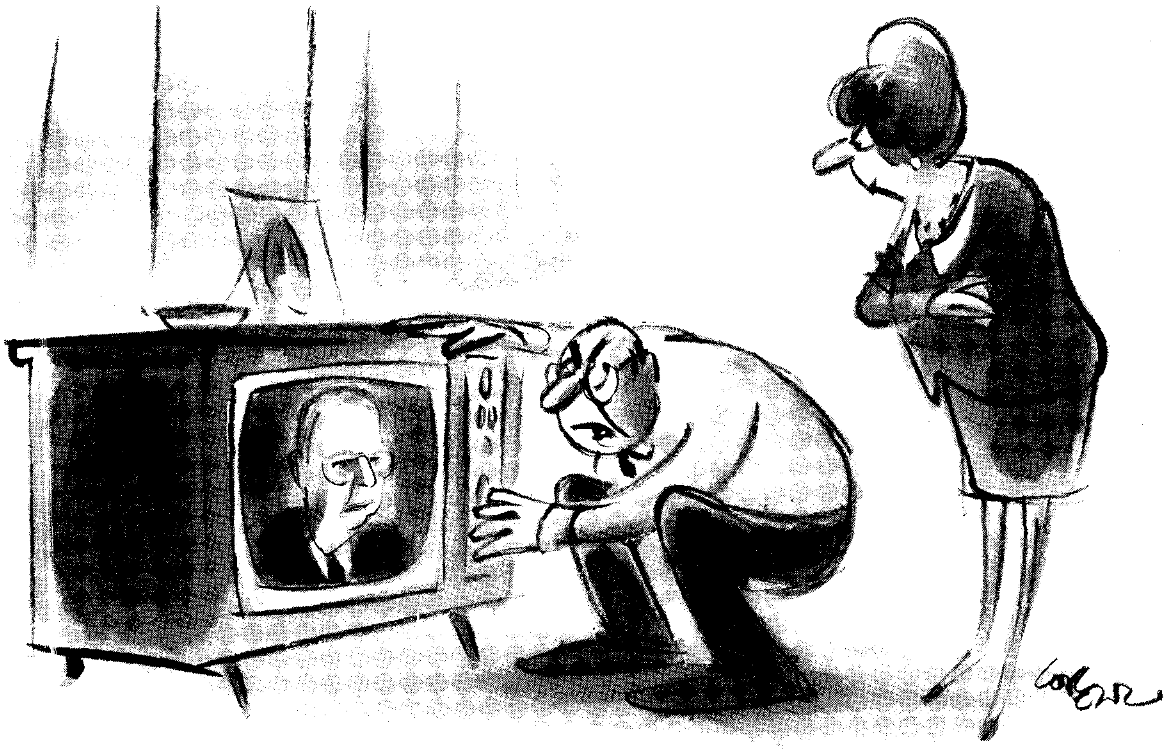


There was well over an hour to wait before the Carmichael speech, so, to fill the time, the student leaders determined to march on the Music and Art High School, five blocks to the south, on Convent Avenue. We walked along with them. The trip was accomplished in relative silence. A group of Music and Art boys were playing basketball in an outdoor playground, and their first realization that the school was being marched on came when the demonstrating students sent up a mighty cheer for a two-point basket. Once the students had formed ranks around the building, however, and begun chants of "Strike! Strike! Strike!" and "Come on out!" their presence at Music and Art received a notably unenthusiastic reception. There was an initial rush to the windows by the students inside to see what the commotion was about, but within a few minutes most of them had returned to their studies.

The demonstrators picketed Music and Art a little longer, and then accepted their lack of success at the high school. "If they don't want us at Music and Art, we will go back to City College," a parade marshal said through a bullhorn, and, still maintaining its discipline, the group began the walk back. Along the way, we spotted a familiar figure posing for a photographer; it was Mark Rudd, who, as head of Columbia University's chapter of Students for a Democratic Society, led the demonstrations that closed down that institution last year. We asked Rudd for his professional evaluation of the high-school students' demonstration, and he said, "I don't want to do the talking today. What does it matter what I think today? What's important is what these kids think. They're beautiful."

Back at the City College campus, a hitch had developed; the returning students were told that admission—"a special high-school rate of fifty cents"—would have to be charged for the lecture.

"Nobody said anything about mon-



"How do you know Ellsworth Bunker isn't that color?"

ey," said a girl near us, and she turned to head back to the subway. "After we get all the way up here, then they tell us we have to pay money."

"Brothers and sisters!" a leader began, pleadingly, over a bullhorn. "Stop being cheap. Shell out fifty cents. Black people are dying." The students, many of whom had invested their available change in two subway rides, continued to drift away, and finally it was announced that students who were unable to pay the admission charge would be allowed in free. The resulting crush was almost too much for the Panther leaders who were controlling the entrances to the lofty Great Hall, on the second floor of Shepard Hall.

At first, the speech that the students had fought so hard to hear seemed to disappoint them. Carmichael is usually a charming, ebullient speaker, not above laughing at his own oratorical lapses, but he had come to City College with a lecture tailored to an adult audience, and for a time he made no concessions to the youthfulness of the audience he found there, in which high-school students outnumbered college students by about three to one. A number of the younger students got up to leave, and at that point Carmichael cut short his comparison of Russian and Chinese dialectics and shifted to a denunciation of white racists—a term apparently broad enough to cover a member of the far-left W. E. B. DuBois Club who had spoken earlier and who now sat glumly astonished as his speech, which had supported Carmichael, was mocked by the Black Panther leader. Carmichael soon had his listeners cheering as he called for Negro Americans to unite in "revolutionary violence." Swaying from side to side, shaking his fist at intervals, and grinning infectiously, he talked of the effectiveness of guerrilla warfare against both the police and the city political establishment. "We can be nonviolent to our own people, and that's where it stops," he said. We learned later that evening, not much to our surprise, that his message had seemingly had the effect of undoing the discipline that the student leaders had temporarily instilled in the demonstrators. On their way back to Brooklyn, the *Daily News* reported, some seventy of those who had heard the speech ran amok in a subway train, shouting "We're going to kill you!" at terrified white passengers, and assaulting and robbing several defenseless women.

The following day, we set out to visit the seat of the newest kind of power—student power—and we found it in a busy second-floor-walkup office occupied by the Afro-American Teachers Association, over a drugstore at 1064 Fulton Street, in Bedford-Stuyvesant, about two miles west of I.S. 271. Just inside the doorway of the office was a bulletin board that featured newspaper clippings with headlines like "DETENTION CAMPS SUGGESTED FOR RACE RIOTS," "MALCOLM X SPEAKS IN PARIS, 1964," and "AFRO-TEACHERS SET AFT-NEA PULLOUT." Other wall decorations included three portrait sketches of Malcolm X, W. E. B. DuBois, and Sojourner Truth, a slave insurrectionist and poetess. There were three desks in the office, and we sat down next to one occupied by Mr. Campbell, a tall, heavy-set, bearded man, who taught Afro-American history at I.S. 271 until his suspension, and who throughout the school struggle has spoken, with consistent amiability, for militant leaders not represented on the Ocean Hill-Brownsville governing board. He was wearing a red dashiki. Our conversation was frequently interrupted by phone calls and by conferences with, among others, Albert Vann, another teacher suspended from I.S. 271, who is the president of the Afro-American Teachers Association; Herman Ferguson, a former New York City teacher and assistant principal, who is free on bond pending appeal of his conviction on a charge of conspiring to kill several moderate civil-rights leaders; and a young man of perhaps seventeen, who was introduced to us only as Brother George. Despite the distractions, Mr. Campbell was able to summarize for us in an hour or so what he and his supporters are attempting to achieve by involving children in disputes beginning in classrooms and ending in cellblocks.

"Decentralization is not the center of the conflict," Mr. Campbell began. "The conflict is racial, pure and simple. Decentralization is just a name, and it's meant to placate the community. The Board of Education has merely divided the city up into smaller groups, with more headquarters. That's decentralization—it's not distribution of power. There's no power base for the community, and what's at issue here is a conflict over power."

How would the conflict be resolved, we asked.

Mr. Campbell shrugged. "Legislative action is not the answer, nor is arbitration, mediation, or negotiation," he said. "The answer will be found in the streets. One of the problems we have is that adults are too compliant—they will take too much time out to evaluate. Though our organization does not officially support actions such as the students' strike, we have allocated to the pupils a part of our communications network, as well as the printing facilities, and, as you see, the student movement is just beginning to get into the action."

At this point, Mr. Campbell engaged in a brief argument over the phone, which he explained to us after he hung up. "That's a result of bureaucracy," he said. "We've never had trouble in the past securing a school for a meeting, but now, when I put Leslie Campbell or the Afro-American Teachers Association's name on an application for the use of a school, we have all this red tape. Excuse me." Leaning back in his chair, Mr. Campbell made a phone call to a city official and talked to him in a quiet, confident voice about the requisite permission for the use of a school. When he hung up, he was smiling. "It's always good to have friends in the right places," he said. "As I was saying, kids now are much more aware and understanding of today's problems. They know there is a double standard for blacks and whites, and they know there are two kinds of justice. Now, the only way we can wake adults up to that, it seems, is to involve them directly. If, for instance, last Monday some adults had been late going to work or going home because the kids were on the subways, they might have been inspired to take some action to clear up this dispute rather than just remain spectators." Mr. Campbell went on to stress the point that, in addition to demanding the restoration of normal class hours and holidays, the students are striking for the right to participate in making decisions that affect them. "Actually, I'm thinking that pretty soon New York is going to be another Paris, with not only high-school and junior-high-school students but college and elementary-school students participating."

We asked Mr. Campbell if there was anything that would satisfy the black community and his organization, and restore peace to the schools. "One thing," he said. "A shift in the balance of power from the school board to the communities, and we mean power in every sphere: hiring and firing, curriculum, the allocation of funds—everything. That's our immediate aim. There are other things we'd like to see come about, but this is what we won't give up until we get. Blacks have never been put in control of their own destinies, and now they're demanding it."

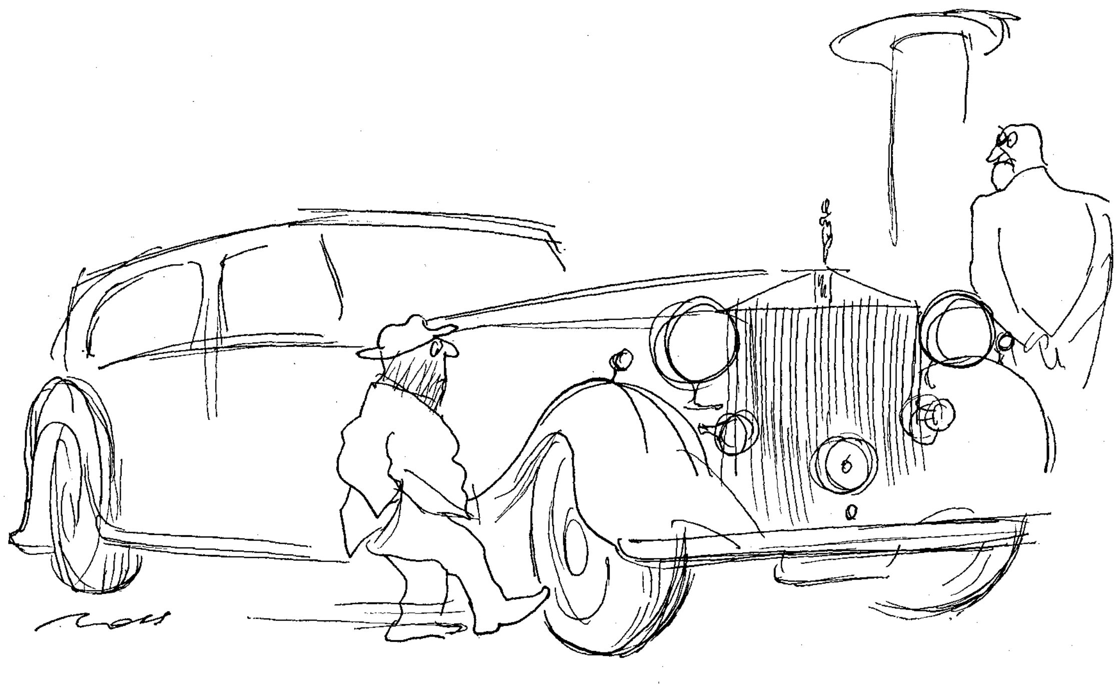
We asked Mr. Campbell how far he would be willing to lead the schoolchildren in pursuit of this goal.

"We've said it before," he answered. "Community control by *any* means necessary."

Con Ed Strike

THE main building of the Consolidated Edison Company's Ravenswood generating station, in Queens, which stands beside the East River just north of the Queensboro Bridge, is a large, squarish structure of steel and masonry that occupies four acres. Three huge smokestacks rise from its roof, and the grounds—perhaps forty acres—are surrounded by an eight-foot wall of bricks and concrete blocks. Last week, the station's main gate was locked, and a group of pickets representing Local 1-2 of the Utility Workers Union, which had been on strike against the company since December 1st, was keeping a twenty-four-hour vigil in front of it, challenging anyone who tried to enter or leave the grounds. Two police officers were stationed near the gate, and a guardhouse to the left of the gate was manned by men from the Burns Detective Agency. The last time the union struck Con Edison—or, rather, one of the companies that became Con Edison—was in 1926, and since nowadays some nine million people in this strike-ridden city and in Westchester County depend on the company's ability to provide up to seven million kilowatts of electricity at all times, we decided to visit the Ravenswood plant, which is the largest generating station in the Con Ed system, and see how the company was going about supplying power during the strike.

We arrived at the gate around four-thirty in the afternoon, and after being challenged and passed by a picket we were admitted to the guardhouse. From there, we were escorted to the main building by a Con Edison official, who told us that all workers below the rank of foreman were on strike, and that this left fifty-seven supervisory workers to run the station, instead of the normal staff of two hundred and twenty-five. On entering the building, we found ourself inside a cavernous room in which boilers, pumps, and turbines kept up a continuous roar. A great wind seemed to pursue us as we climbed a metal staircase, and our companion told us that it was caused by ventilation blowers near the top of the building. On reaching the second floor, we walked across some steel grating, through a glass door, down a corridor, through a second glass door, and into a control room, which was far less noisy than the rest of the building. In the center of the room was a large control panel, almost spanning the space between two walls, and studded with more than a hundred dials, knobs, and switches, plus



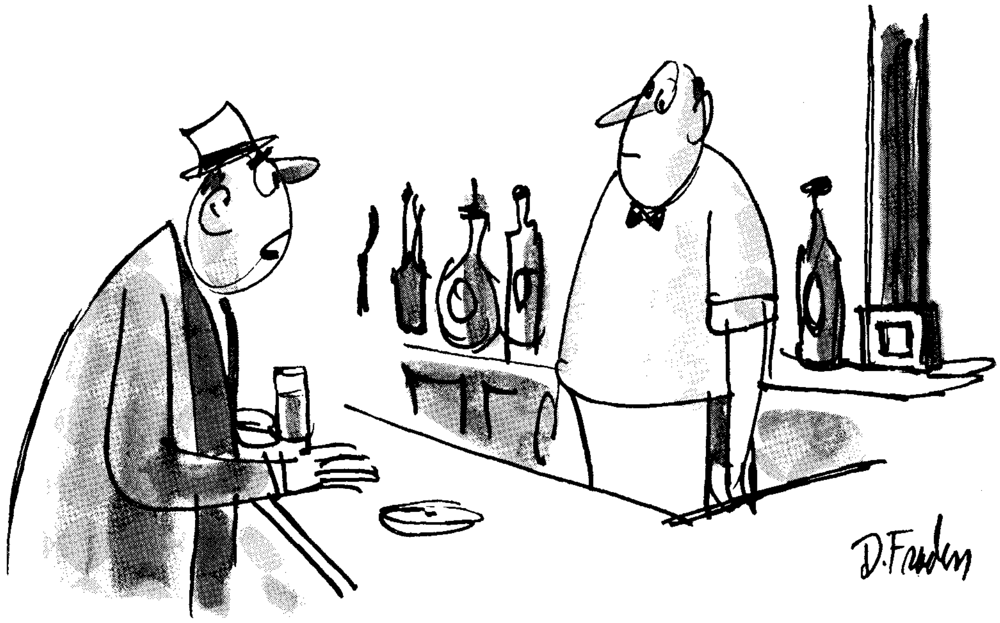
four television screens. On three walls of the room were several hundred more dials, knobs, and switches, along with various meters and graphs. Five Con Edison supervisors were sitting or standing and watching the control boards. One of them, a tall man wearing a khaki shirt, khaki trousers, and an orange hard hat, was introduced to us as Frederick Lennox, the general superintendent of the station. After giving some instructions to a man in a gray work shirt, Mr. Lennox told us that the control room served two of the station's three turbine generators. "This room controls Generators No. 1 and No. 2," he said. "Each of them is capable of producing four hundred and eighteen thousand kilowatts of electricity. Our third generator, which has its own control room, is the largest electric turbine generator in the world. It's capable of producing up to a million kilowatts. Almost everything you see here runs automatically. Con Edison is ninety per cent automated now, and we make very few decisions at this station. Decisions concerning power distribution are made almost entirely by a computer in our Energy Control Center, at Sixty-sixth Street and West End Avenue, in Manhattan. They are carried out automatically. We don't even have to flip any switches here. We just keep an eye on things."

We approached one of the television screens, which was showing what appeared to be a raging fire, and Mr. Lennox said, "That shows the inside of one of the furnaces. It just tells us that the furnace is on. We have much more accurate devices to show us exactly what's happening in terms of fuel consumption." He led the way to another control panel and indicated a circular graph on which a pen was tracing an irregular line. "This is an O_2 recorder," he said. "It's showing one-point-five per cent oxygen in one furnace of the No. 2 generator, which is just about the optimum. During this strike, we're aiming for maximum reliability rather than maximum economy." He indicated another circular graph and said, "This is the main steamflow meter. See the red line? It shows a surge of power from 5 A.M. till about 9:45 A.M. today, then a drop, and then another surge from 2 P.M. till about now—it's a quarter to five. Normally, that red line would be an almost perfect circle, but now it looks very erratic. That's because, with the strike on, this station is taking the bumps. Our older stations are all running near peak capacity, and this station, being a fairly new one, has been selected to make most of the adjustments up or down as the need for electricity fluctuates during the day."

Mr. Lennox was called away by an assistant, and we fell into conversation with a man in khakis and a blue hard hat, who turned out to be Walter J. Descovich, the station's assistant superintendent, and who suggested that he show us around the building. As he escorted us from the control room to the cavernous structure below, he told us that the building had eleven floors and was about two city blocks long. "Fifty-seven of us moved in here on November 30th," he said. "We won't leave till the strike is over, since we might not be able to get back in through the picket lines. We're sleeping on cots and eating in the station's lunchroom, and we're working twelve-hour shifts instead of the normal eight-hour ones. With everything running automatically, the only thing we have to fear is a breakdown in the equipment. We can even do much of the repair work ourselves. Yesterday, I replaced a fan motor on one of the transformers. That was the only fan motor we had in stock—they're enormous—so if another one should go out, we'd really be in a fix." He showed us into a part of the building whose floor was of open steel grating, giving one a disconcerting sensation of walking in midair, and pointed out an object made from a tool wagon, an oil drum, and a steel grille. "That's a barbecue pit," he said. "Some of the men made it yesterday in their spare time. We've been getting most of our supplies by truck, but the pickets have been giving the drivers trouble, so we'll probably start getting our supplies by helicopter soon. The company has already sent us a ping-pong set, a football, and some chess and checkers sets. It's really not too bad in here. We've been having a pretty good time."

When we were back in the control room, Mr. Lennox showed us a bank of small glass panels in one wall, behind most of which white lights were glowing. "This is the alarm board," he said. "The second anything goes wrong, one of those panels turns red and a buzzer sounds. We can take corrective measures immediately."

During the next half hour, the five men in the control room watched the various dials, graphs, and meters, and the silence was broken mainly by desultory remarks coming over a radio system that links all the Con Edison stations. At about six o'clock, we thanked Mr. Lennox and, in the company of two Con Edison officials, left the main building and walked back to the gate. By this time, it was quite dark, and as we emerged from the guardhouse onto the sidewalk, we saw that a small Con Edison van had pulled up to the gate, and that the pickets were marching in a tight circle in front of the vehicle, preventing it from entering. The van contained food for the men inside, we were told. As the Con Edison officials left the guardhouse to return to the main building, the pickets shouted insults at them, and one of the pickets left the tight circle and ran toward them. A wiry-looking man who appeared to be in charge of the pickets trotted after the man, yelling, "Get back in line!" The man did.



"There should be a Hall of Fame for nobodies."

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PIERRE RUMBLINGS

NOW that President-elect Richard M. Nixon has announced his initial Cabinet appointments, national attention is rapidly shifting to the thousands of lesser but highly significant federal posts that lie within appointive domain of the incoming Chief Executive, and to the names of the men who may occupy them. Mr. Nixon's unusual delay in filling soon-to-be-vacant jobs in all branches of the executive infrastructure is ascribed by intimates as evidence of his "furious desire" to achieve an open Administration, staffed from top to bottom by "the right man for the right job, regardless of party, race, sex, or previous experience." The President-elect's decision to have personal, "handshake" knowledge of almost every one of the three thousand new federal appointees is evidenced by the lights that burn late at the temporary executive headquarters at the Hotel Pierre, and by the steady stream of stern-faced politicos, scientific and economic advisers, and business executives, all carrying copies of *Who's Who in America*, now entering and leaving those thirty-ninth-floor offices throughout the day.

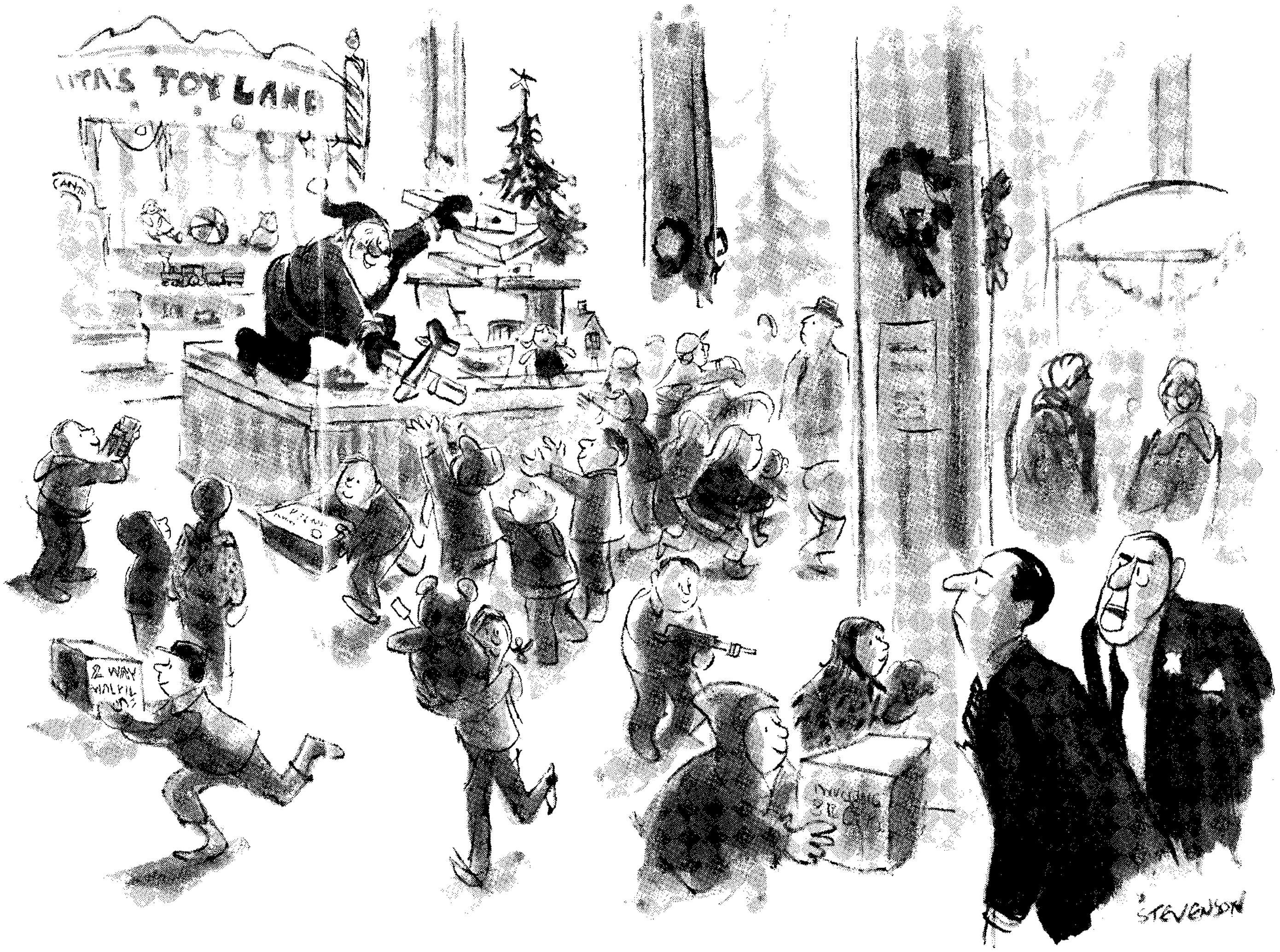
Under these circumstances, speculation and rumor are understandably rife and some false reports perhaps inevitable, yet it is possible to reveal, after consultation with high and authoritative sources, some of the names and job offers now under intense scrutiny:

FISHERIES: The post of Assistant Trout Sexer at the multimillion-dollar Snoqualmie Hatchery has been vacant since early September, when the incumbent, a conservative Democrat with close ties to the business community, resigned in a storm of controversy. Despite denials, rumors persist that a serious administrative error during the June spawning season this year resulted in the attempted mating of two million female rainbow trout with seventeen male pickerel—a mixup described as having "dispiriting results." According to reliable informants, the man currently holding the inside track to the Snoqualmie post is Jeremiah Purdie, 47, the wealthy Spokane secondhand-auto dealer, who is said to believe that "only computerization can clean up the unsavory bureaucratic mess in the spawning pools." Mr. Purdie, who voted the Democratic line in 1944 and who confesses openly to a fondness for fried smelts, is nonetheless considered a symbol of orthodoxy in freshwater circles. His appointment is regarded as a near certainty, unless ex-Governor Thomas E. Dewey should receive the nod as the next Chief Justice; in this event, other reshufflings may see Mr. Purdie named to an ambassadorship, possibly in the Near East, or to a position on the Railroad Retirement Board.

POST OFFICE: The continuing deterioration of mail service across the country has been brought to the attention of the new Chief Executive, and a shakeup is in the offing. One definite first step in image improvement will be the renaming of the Post Office, which will be known after January as the U.S. Missive Service. Typical of the post-office crisis is the situation in Petulia Falls, Ala., where the lame-duck incumbent, Billy Joe Cockrell, a Truman appointee, has taken to sleeping until noon each day and refusing to distribute mail in the twenty-four local boxes until after the completion of each afternoon's episode of the TV serial "Edge of Night." An early favorite to succeed Mr. Cockrell was Mrs. Hannah Spurrier, a moderate States Rights grandmother, who is said to have shaken hands with Miss Julie Nixon during a lightly attended Republican rally in nearby Gadsden in September. Lately, however, attention has focussed on Beauregard W. Tibbs, a familiar figure among the patient regulars on the post-office porch, and an avid philatelist. Mr. Tibbs, a political independent with dovish leanings on farm parity, is known to have forward-looking ideas about commemorative issues, and has even drawn up rough sketches of a stamp celebrating a locally famous incident—the moment in May, 1959, when a lightning bolt entered the men's locker room at the Petulia Falls Bowlmor Lanes and ravaged the bar, causing three unopened bottles of Nehi to boil. The fact that Mr. Tibbs is only fourteen is believed to be no obstacle to his appointment; indeed, considering Mr. Nixon's avowed interest in presenting a "youthful but neatly barbered" appearance to his Administration, "Beau" Tibbs must be given the current edge among likely appointees in this key section of the Old South.

CENSUS: Mr. Nixon has expressed concern about the thousands, perhaps hundreds of thousands, of Americans, mostly males, who are believed to have been overlooked in the Census of 1960. An intimate has quoted him as saying, "How can we reach these good citizens with our message if we don't even know who they are? Where are they, and why don't they ever come home? We need hard facts in this area." The lineup of census-takers for the national head count of 1970 may well reflect the new President's quickening interest in appointing known white Catholic Democrats to positions of urgency. One New England Democratic possibility is Fortune F. O'Maloney, 52, a Boston beer distributor who is said to know the names of at least thirty male customers in the Brockton area alone who went unreported in 1960. Mr. O'Maloney refused yesterday to confirm or deny that he had chatted with Mr. Nixon or his aides, saying only, "There are more people in Greater Boston than big government is letting on." Another believed to be under consideration is Mrs. Constance Phemister, a Toledo, O., meter maid well known in the region for her accuracy as a speller. Unless she is blocked by the Romney faction of the Middle West G.O.P., she must be considered a shoo-in for Census, barring an unexpected vacancy in the Chiropody Office of Health, Education and Welfare.

WEATHER: Knut Kierstadt, 54, a wealthy radish grower in International Falls, Minn., who is highly regarded in Lutheran Free-Soiler sectors, is a front-runner for a forecaster's post somewhere in the unstable (weatherwise) Upper Border region. Known as a "meteorological positivist," Mr. Kierstadt, in numerous recent letters to newspapers and TV stations, has plumped for a brighter, more upbeat approach to weather reporting. A predicted low-pressure center, he has pointed out, could be presented in James Whitcomb Riley's words: "It hain't no use to grumble and complain . . . when God sorts out the weather and



"Good grief! He thinks he __is__ Santa Claus!"

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sends rain." He is particularly anxious to see the familiar north, south, east, and west designations, now employed in giving wind directions, replaced with "Kabibonokka," "Shawondasee," "Wabun," and "Mudjekeewis"—the four winds in Longfellow's "Hiawatha." Mr. Kierstadt's ideas are thought to have found favor with Mr. Nixon's theological consultant, the Rev. Norman Vincent Peale. The only possible obstacle to Kierstadt's appointment is his name—a factor that came into question after the early appointments of Herbert G. Klein and Henry A. Kissinger to top posts in the Nixon Administration. Since Mr. Nixon is believed to favor alphabetical, as well as political, sexual, religious, and racial balance, in his appointments, Mr. Kierstadt's unfortunate double "K" may bar him from public life at present. If this turns out to be the case, this post may go to Arkansas Governor Winthrop Rockefeller, the Baptist low-tariff advocate, thus clearing up any implied rebuke to Mr. Nixon in the refusal of both Nelson and David Rockefeller to accept positions in the new Administration.

F.B.I.: Mr. Nixon will in all probability postpone immediate decision on the thorny issue of whether to replace F.B.I. Director J. Edgar Hoover, a conservative East Coast bachelor. Of more immediate concern to him is the acute necessity of updating the Bureau's techniques of agent disguise and undercover verisimilitude. Data brought forward at the Hotel Pierre think tank has revealed that an F.B.I. agent attempting to infiltrate the inner councils of S.D.S. at Columbia University last spring was sent out on the job wearing a pair of clean white bucks. Similarly, a Negro F.B.I. agent encountered difficulty in penetrating the Black Panthers when he turned up in Oakland in chauffeur's uniform. The "right man" in this area may well turn out to be a woman—Mrs. Eulalie Anstruther, 70, a retired California schoolteacher with a good record in anti-fluoridation circles, who directed young Richard Nixon in a grade-school pageant in Yorba Linda in the nineteen-twenties, and who has maintained a lively interest in the stage throughout her life. Mrs. Anstruther, a Seventh-Day Adventist anti-Grape Striker, has promised to bring new ideas to the F.B.I. "The Cagney image is dead, F.B.I.-wise," she said last week. "Our agents must learn to look, think, and live the role of hairy, dishevelled, effeminate Godless anarchists. If necessary, we must be prepared to out-Artaud Artaud in defense of our American freedoms." Another likely F.B.I. appointee, perhaps to a lesser post, is Elmore W. Honkie, 34, of West Barnstable, Mass. Mr. Honkie, a gas-station attendant with no known political or religious affiliations, admittedly lacks experience in law enforcement. Nonetheless, Mr. Nixon is said to be intrigued by the fact that if he were to be assigned to F.B.I. field work in the vital area of race relations, Mr. Honkie would "reduce the options" of agitators in the exercise of inflammatory racial epithet. An appointment here, as in these other areas, is expected momentarily.

—Roger Angell

HAPPINESS

MOTHER had a lot to say. This does not mean she was always talking but that we children felt the wells she drew upon were deep, deep, deep. Her theme was happiness: what it was, what it was not; where we might find it, where not; and how, if found, it must be guarded. Never must we confound it with pleasure. Nor think sorrow its exact opposite.

"Take Father Hugh." Mother's eyes flashed as she looked at him. "According to him, sorrow is an ingredient of happiness—a *necessary* ingredient, if you please!" And when he tried to protest she put up her hand. "There may be a freakish truth in the theory—for some people. But not for me. And not, I hope, for my children." She looked severely at us three girls. We laughed. None of us had had much experience with sorrow. Bea and I were children and Linda only a year old when our father died suddenly after a short illness that had not at first seemed very serious. "I've known people to make sorrow a *substitute* for happiness," Mother said.

Father Hugh protested again. "You're not putting me in that class, I hope?"

Father Hugh, ever since our father died, had been the closest of anyone to us as a family, without being close to any one of us in particular—even to Mother. He lived in a monastery near our farm in County Meath, and he had been one of the celebrants at the Requiem High Mass our father's political importance had demanded. He met us that day for the first time, but he took to dropping in to see us, with the idea of filling the crater of loneliness left at our center. He did not know that there was a cavity in his own life, much less that we would fill it. He and Mother were both young in those days, and perhaps it gave scandal to some that he was so often in our house, staying till late into the night and, indeed, thinking nothing of stopping all night if there was any special reason, such as one of us being sick. He had even on occasion slept there if the night was too wet for tramping home across the fields.

When we girls were young, we were so used to having Father Hugh around that we never stood on ceremony with him but in his presence dried our hair and pared our nails and never minded what garments were strewn about. As for Mother—she thought nothing of running out of the bathroom in her slip, brushing her teeth or combing her hair, if she wanted to tell him something she might otherwise forget. And she brooked no criticism of her behavior. "Chastity was never meant to take all the warmth and homeliness out of their lives?" she said.

On this point, too, Bea was adamant. Bea, the middle sister, was our oracle. "I'm so glad he *has* Mother," she said, "as well as her having him, because it must be awful the way most women treat them—priests, I mean—as if they were pariahs. Mother treats him like a human being—that's all!"

And when it came to Mother's ears that there had been gossip about her making free with Father Hugh, she opened her eyes wide in astonishment. "But he's only a priest!" she said.

Bea giggled. "It's a good job he didn't hear *that*," she said to me afterward. "It would undo the good she's done him. You'd think he was a eunuch."

"Bea!" I said. "Do you think he's in love with her?"

"If so, he doesn't know it," Bea said firmly. "It's her soul he's after! Maybe he wants to make sure of her in the next world!"

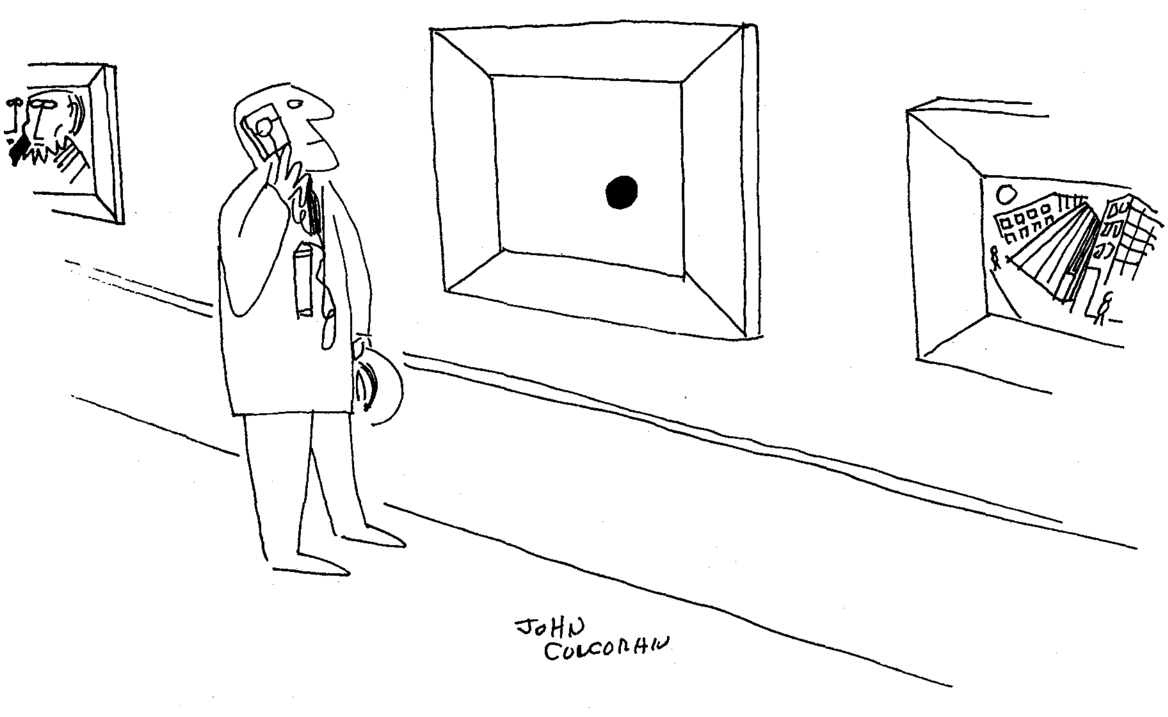
But thoughts of the world to come never troubled Mother. "If anything ever happens to me, children," she said, "suddenly, I mean, or when you are not near me, or that I cannot speak to you, I want you to promise you won't feel bad. There's no need! Just remember that I had a happy life—and that if I had to choose my kind of Heaven I'd take it on this earth with you again, no matter how much you might annoy me!"

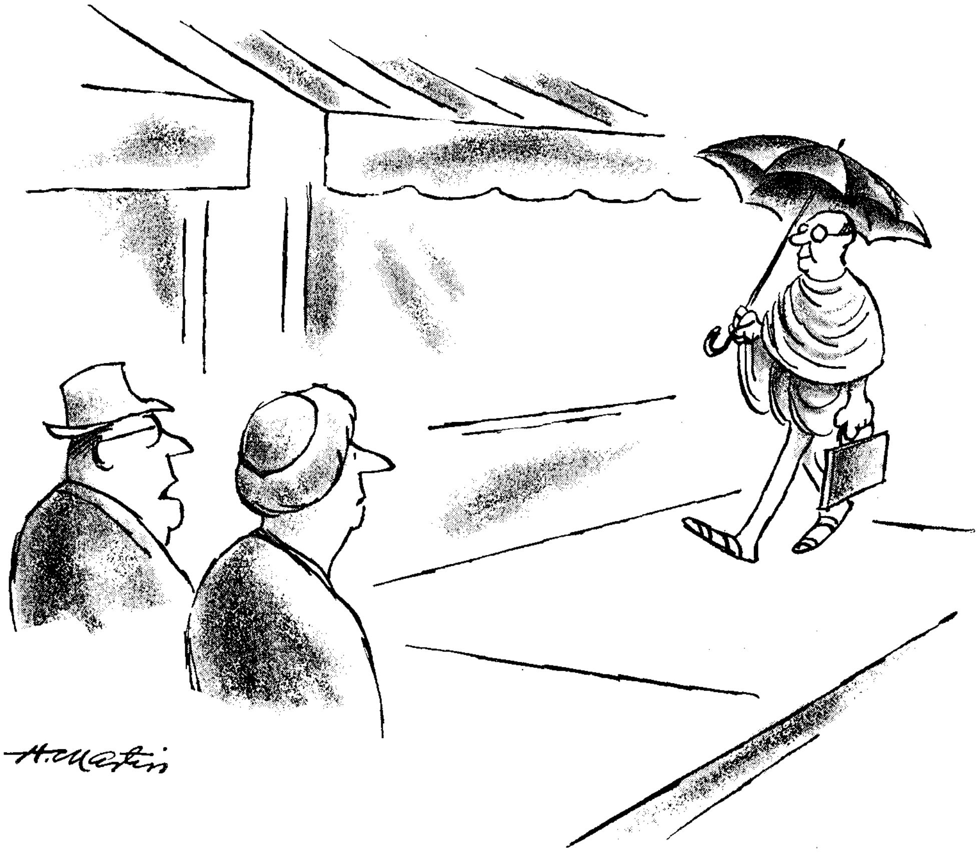
You see, annoyance and fatigue, according to Mother, and even illness and pain, could coexist with happiness. She had a habit of asking people if they were happy at times and in places that—to say the least of it—seemed to us inappropriate. "But are you happy?" she'd probe as one lay sick and bathed in sweat, or in the throes of a jumping toothache. And once in our presence she made the inquiry of an old friend as he lay upon his deathbed.

"Why not?" she said when we took her to task for it later. "Isn't it more important than ever to be happy when you're dying? Take my own father! You know what he said in his last moments? On his deathbed, he defied me to name a man who had enjoyed a better life. In spite of dreadful pain, his face *radiated* happiness!" said Mother, nodding her head comfortably. "Happiness drives out pain, as fire burns out fire."

Having no knowledge of our own to pit against hers, we thirstily drank in her rhetoric. Only Bea was skeptical. "Perhaps you *got* it from him, like spots, or fever," she said. "Or something that could at least be slipped from hand to hand."

"Do you think I'd





"I wouldn't know, unless it's that Nehru's out and Gandhi's in."

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have taken it if that were the case!" Mother cried. "Then, when he needed it most?"

"Not there and then!" Bea said stubbornly. "I meant as a sort of legacy."

"Don't you think in *that* case," Mother said, exasperated, "he would have felt obliged to leave it to your grandmother?"

Certainly we knew that in spite of his lavish heart our grandfather had failed to provide our grandmother with enduring happiness. He had passed that job on to Mother. And Mother had not made too good a fist of it, even when Father was living and she had him—and, later, us children—to help.

As for Father Hugh, he had given our grandmother up early in the game. "God Almighty couldn't make that woman happy," he said one day, seeing Mother's face, drawn and pale with fatigue, preparing for the nightly run over to her own mother's flat that would exhaust her utterly.

There were evenings after she came home from the library where she worked when we saw her stand with the car keys in her hand, trying to think which would be worse—to slog over there on foot or take out the car again. And yet the distance was short. It was Mother's days that were too long.

"Weren't you over to see her this morning?" Father Hugh demanded.

"No matter!" said Mother. She was no doubt thinking of the forlorn face our grandmother always put on when she was leaving. ("Don't say good night, Vera," Grandmother would plead. "It makes me feel too lonely. And you never can tell—you might slip over again before you go to bed!")

"Do you know the time?" Bea would say impatiently, if she happened to be with Mother. Not indeed that the lateness of the hour counted for anything, because in all likelihood Mother *would* go back, if only to pass by under the window and see that the lights were out, or stand and listen and make sure that as far as she could tell all was well.

"I wouldn't mind if she was happy," Mother said.

"And how do you know she's not?" we'd ask.

"When people are happy, I can feel it. Can't you?"

We were not sure. Most people thought our grandmother was a gay creature, a small birdy being who even at a great age laughed like a girl, and—more remarkable—sang like one, as she went about her day. But beak and claw were of steel. She'd think nothing of sending Mother back to a shop three times if her errands were not exactly right. "Not sugar like that—that's *too* fine; it's not caster sugar I want. But *not* as coarse as *that*, either. I want an in-between kind."

Provoked one day, my youngest sister, Linda, turned and gave battle. "You're mean!" she cried. "You love ordering people about!"

Grandmother preened, as if Linda had acclaimed an attribute. "I was always hard to please," she said. "As a girl, I used to be called Miss Imperious."

And Miss Imperious she remained as long as she lived, even when she was a great age. Her orders were then given a wry twist by the fact that as she advanced in age she took to calling her daughter Mother, as we did.

There was one great phrase with which our grandmother opened every sentence: "if only." "If only," she'd say, when we came to visit her, "—if only you'd come earlier, before I was worn out expecting you!" Or if we were early, then if only it was later, after she'd had a rest and could enjoy us, be *able* for us. And if we brought her flowers, she'd sigh to think that if only we'd brought them the previous day she'd have had a visitor to appreciate them, or say it was a pity the stems weren't longer. If only we'd picked a few green leaves, or included some buds, because, she said disparagingly, the poor flowers we'd brought were already wilting. We might just as well not have brought them! As the years went on, Grandmother had a new bead to add to her rosary: if only her friends were not all dead! By their absence, they reduced to nil all *real* enjoyment in anything. Our own father—her son-in-law—was the one person who had ever gone close to pleasing her. But even here there had been a snag. "If only he was my real son!" she used to say, with a sigh.

Mother's mother lived on through our childhood and into our early maturity (though she outlived the money our grandfather left her), and in our minds she was a complicated mixture of valiance and defeat. Courageous and generous within the limits of her own life, her simplest demand was yet enormous in the larger frame of Mother's life, and so we never could see her with the same clarity of vision with which we saw our grandfather, or our own father. Them we saw only through Mother's eyes.

"Take your grandfather!" she'd cry, and instantly we'd see him, his eyes burning upon us—yes, upon *us*, although in his day only one of us had

"He used to regard the human comedy with amused tolerance, until one day he realized it included him."

been born: me. At another time, Mother would cry, "Take your own father!" and instantly we'd see *him*—tall, handsome, young, and much more suited to marry one of us than poor bedraggled Mother.

Most fascinating of all were the times Mother would say, "Take me!" By magic then, staring down the years, we'd see blazingly clear a small girl with black hair and buttoned boots, who, though plain and pouting, burned bright, like a star. "I was happy, you see," Mother said. And we'd strain hard to try and understand the mystery of the light that still radiated from her. "I used to lean along a tree that grew out over the river," she said, "and look down through the gray leaves at the water flowing past below, and I used to think it was not the stream that flowed but me, spread-eagled over it, who flew through the air! Like a bird! That I'd found the secret!" She made it seem there might *be* such a secret, just waiting to be found. Or she dreamt that she'd be a great singer.

"We didn't know you sang, Mother!"

"Like a crow," she said.

Sometimes she used to think she'd swim the Channel.

"Did you swim *that* well, Mother?"

"Oh, not really—just the breaststroke," she said. "And then only by the aid of two pig bladders blown up by my father and tied around my middle. But I used to throb—yes, throb—with happiness."

Behind Mother's back, Bea raised her eyebrows.

What was it, we used to ask ourselves—that quality that she, we felt sure, misnamed? Was it courage? Was it strength, health, or high spirits? Something you could not give or take—a conundrum? A game of catch-as-catch-can?

"I know," cried Bea. "A sham!"

Whatever it was, we knew that Mother would let no wind of violence from within or without tear it from her. Although, one evening when Father Hugh was with us, our astonished ears heard her proclaim that there might be a time when one had to *slacken hold on it—let go—to catch at* it again with a surer hand. In the way, we supposed, that the high-wire walker up among the painted stars of his canvas sky must wait to fling himself through the air until the bar he catches at has started to sway perversely from him. Oh no, no! That downward drag at our innards we could not bear, the belly swelling to the shape of a pear. Let happiness go by the board. "After all, lots of people seem to make out without it," Bea cried. It was too tricky a business. And might it not be that one had to be born with a flair for it?

"A flair would not be enough," Mother answered. "Take Father Hugh. He, if anyone, has a flair for it—a natural capacity! You've only to look at him when he's off guard, with you children, or helping me in the garden. But he rejects happiness! He casts it from him."

"That is simply not true, Vera," cried Father Hugh, overhearing her. "It's just that I don't place an inordinate value on it like you. I don't think it's enough to carry one all the way. To the end, I mean—and after."

"Oh, don't talk about the end when we're only in the middle," cried Mother. And, indeed, at that moment her own face shone with such happiness it was hard to believe that her earth was not her Heaven. Certainly it was her constant contention that of happiness she had had a lion's share. This, however, we, in private, doubted. Perhaps there were times when she had had a surplus of it—when she was young, say, with her redoubtable father, whose love blazed circles around her, making winter into summer and ice into fire. Perhaps she had a brimming measure in her early married years. By straining hard, we could find traces left in our minds from those days of milk and honey. Our father, while he lived, had cast a magic over everything, for us as well as for her. He held his love up over us like an umbrella and kept off the troubles that afterward came down on us, pouring cats and dogs!

But if she did have more than the common lot of happiness in those early days, what use was that when we could remember so clearly how our father's death had ravaged her? And how could we forget the distress it brought on us when, afraid to let her out of our sight, Bea and I stumbled after her everywhere, through the woods and along the bank of the river, where, in the weeks that followed, she tried vainly to find peace.

The summer after Father died, we were invited to France to stay with friends, and when she went walking on the cliffs at Fécamp our fears for her grew frenzied, so that we hung on to her arm and dragged at her skirt, hoping that like leaded weights we'd pin her down if she went too near to the edge. But at night we had to abandon our watch, being forced to follow the conventions of a family still whole—a home still intact—and go to bed at the same time as the other children. It was at that hour, when the coast guard was gone from his rowboat offshore and the sand was as cold and gray as the sea, that Mother liked to swim. And when she had washed, kissed, and left us, our hearts almost died inside us and we'd creep out of bed again to stand in our bare feet at the mansard and watch as she ran down the shingle, striking out when she reached the water where, far out, wave and sky and mist were one, and the grayness closed over her. If we took our eyes off her for an instant, it was impossible to find her again.

"Oh, make her turn back God, please!" I prayed out loud one night.

Startled, Bea turned away from the window. "She'll *have* to turn back sometime, won't she? Unless . . . ?"

Locking our damp hands together, we stared out again. "She wouldn't!" I whispered. "It would be a sin!"

Secure in the deterring power of sin, we let out our breath. Then Bea's breath caught again. "What if she went out so far she used up all her strength? She couldn't swim back! It wouldn't be a sin then!"

"It's the intention that counts," I whispered.

A second later, we could see an arm lift heavily up and wearily cleave down, and at last Mother was in the shallows, wading back to shore.

"Don't let her see us!" cried Bea. As if our chattering teeth would not give us away when she looked in at us before she went to her own room on the other side of the corridor, from where, later in the night, the sound of crying would reach us.

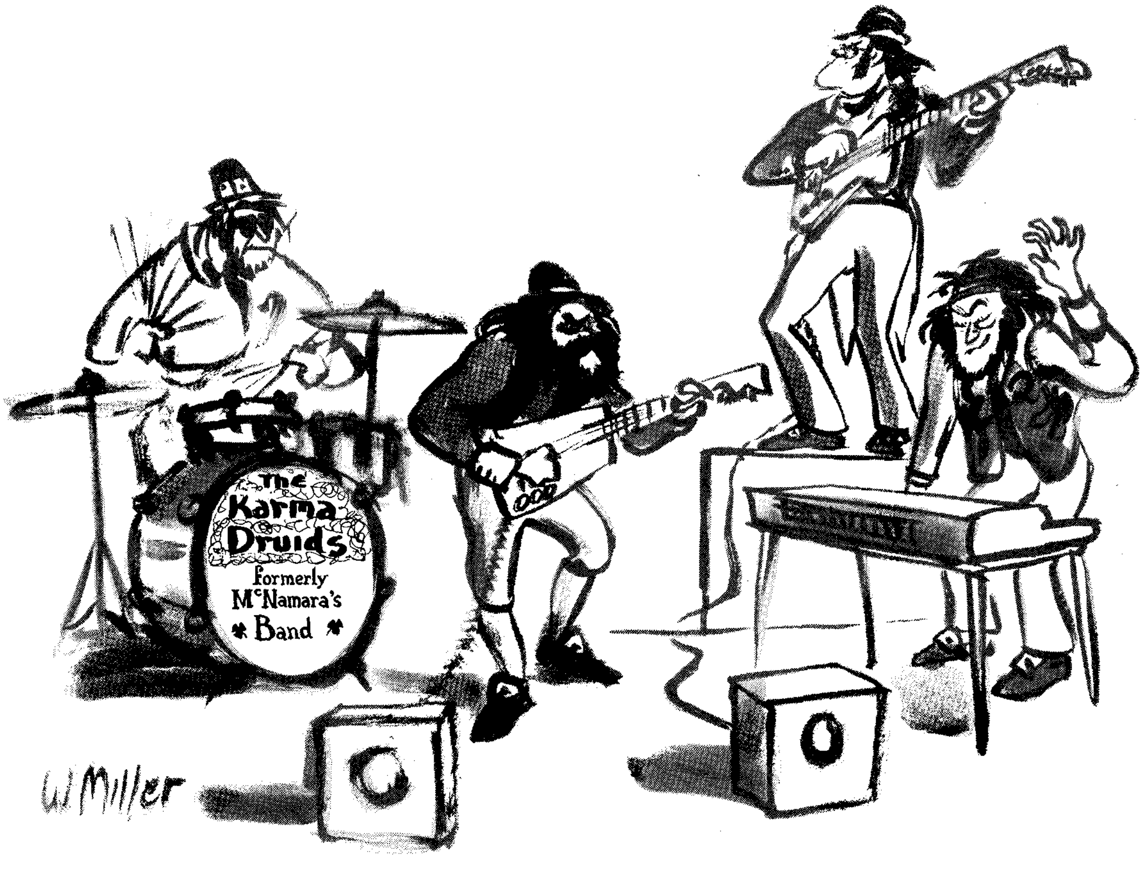
What was it worth—a happiness bought that dearly.

MOTHER had never questioned it. And once she told us, "On a wintry day, I brought my own mother a snowdrop. It was the first one of the year—a bleak bud that had come up stunted before its time—and I meant it for a sign. But do you know what your grandmother said? 'What good are snowdrops to me now?' Such a thing to say! What good is a snowdrop at all if it doesn't hold its value always, and never lose it! Isn't that the whole point of a snowdrop? And that is the whole point of happiness, too! What good would it be if it could be erased without trace? Take me and those daffodils!" Stooping, she buried her face in a bunch that lay on the table waiting to be put in vases. "If I didn't hold their beauty absolute and inviolable, do you think I could bear the sight of them after what happened when your father was in hospital?"

It was a fair question. When Father went to hospital, Mother went with him and stayed in a small hotel across the street so she could be with him all day from early to late. "Because it was so awful for him—being in Dublin!" she said. "You have no idea how he hated it."

That he was dying neither of them realized. How could they know, as it rushed through the sky, that their star was a falling star! But one evening when she'd left him asleep Mother came home for a few hours to see how we were faring, and it broke her heart to see the daffodils out all over the place—in the woods, under the trees, and along the sides of the avenue. There had never been so many, and she thought how awful it was that Father was missing them. "You sent up little bunches to him, you poor dears!" she said. "Sweet little bunches, too—squeezed tight as posies by your little fists! But stuffed into vases they couldn't really make up to him for not being able to see them growing!"

So on the way back to the hospital she stopped her car and pulled a great bunch—the full of her arms. "They took up the whole back seat," she said, "and I was so excited at the thought of walking into his room and dumping them on his bed—you know, just plomping them down so he could smell them, and feel them, and look and look! I didn't mean them to be put in vases, or anything ridiculous like that—it would have taken a rainwater barrel to hold them. Why, I could hardly see over them as I came up the steps; I kept tripping. But when I came into the hall, that nun—I told you about her—that nun came up to me, sprang out of nowhere it seemed, although I know now that she was waiting for me, knowing that somebody had to bring me to my senses. But the way she did it! Reached out and grabbed the flowers, letting lots of them fall—I remember them getting stood on. 'Where are you going with those foolish flowers, you foolish



woman?' she said. 'Don't you know your husband is dying? Your prayers are all you can give him now!'

"She was right. I *was* foolish. But I wasn't cured. Afterward, it was nothing but foolishness the way I dragged you children after me all over Europe. As if any one place was going to be different from another, any better, any less desolate. But there was great satisfaction in bringing you places your father and I had planned to bring you—although in fairness to him I must say that he would not perhaps have brought you so young. And he would not have had an ulterior motive. But above all he would not have attempted those trips in such a dilapidated car."

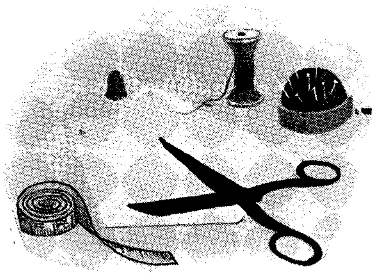
Oh, that car! It was a battered and dilapidated red sports car, so depleted of accessories that when, eventually, we got a new car, Mother still stuck out her hand on bends, and in wet weather jumped out to wipe the windscreen with her sleeve. And if fussed she'd let down the window and shout at people, forgetting she now had a horn. How we had ever fitted into it with all our luggage was a miracle.

"You were never lumpish—any of you!" Mother said proudly. "But you were very healthy and very strong." She turned to me. "Think of how you got that car up the hill in Switzerland!"

"The Alps are not hills, Mother!" I pointed out coldly, as I had done at the time, when, as actually happened, the car failed to make it on one of the inclines. Mother let it run back until it wedged against the rock face, and I had to get out and push till she got going again in first gear. But when it got started it couldn't be stopped to pick me up until it got to the top, where they had to wait for me, and for a very long time.

"Ah, well," she said, sighing wistfully at the thought of those trips. "You got something out of them, I hope. All that travelling must have helped you with your geography and your history."

We looked at each other and smiled, and then Mother herself laughed. "Remember the time," she said, "when we were in Italy, and it was Easter, and all the shops were chock-full of food? The butcher shops had poultry and game hanging up outside the doors, fully feathered, and with their poor heads dripping blood, and in the windows they had poor little lambs and suckling pigs and young goats, all skinned and hanging by their forefeet." Mother shuddered. "They think so much about food. I found it revolting. I had to hurry past. But Linda, who must have been only four then, dragged at me and stared and stared. You know how children are at that age; they have a morbid fascination for what is cruel and bloody. Her face was flushed and her eyes were wide. I hurried her back to the hotel. But next morning she crept into my room. She crept up to me and pressed against me. 'Can't we go back, just once, and look again at that shop?' she whispered. 'The shop where they have the little children hanging up for Easter!' It was the young goats, of course, but I'd said 'kids,' I suppose. How we laughed." But her face was grave. "You were *so* good on those trips, all of you," she said. "You were really very good children in general. Otherwise I would never have put so much effort into rearing you, because I wasn't a bit maternal. You brought out the best in me! I put an unnatural effort into you, of course, because I was taking my standards from your father, forgetting that his might not have remained so inflexible if he had lived to middle age and was beset by life, like other parents."



"Well, the job is nearly over now, Vera," said Father Hugh. "And you didn't do so badly."

"That's right, Hugh," said Mother, and she straightened up, and put her hand to her back the way she sometimes did in the garden when she got up from her knees after weeding. "I didn't go over to the enemy, anyway! We survived!" Then a flash of defiance came into her eyes. "And we were happy. That's the main thing!"

Father Hugh frowned. "There you go again!" he said.

Mother turned on him. "I don't think you realize the onslaughts that were made upon our happiness! The minute Robert died, they came down on me—cohorts of relatives, friends, even strangers, all draped in black, opening their arms like bats to let me pass into their company. 'Life is a vale of tears,' they said. 'You are privileged to find it out so young!' Ugh! After I staggered onto my feet and began to take hold of life once more, they fell back defeated. And the first day I gave a laugh—pouf, they were blown out like candles. They weren't living in a real world at all; they belonged to a

THYME FLOWERING AMONG ROCKS

This, if Japanese,
Would represent gray boulders
Walloped by rough seas

So that, here or there,
The balked water tossed its froth
Straight into the air.

Here, where things are what
They are, it is thyme blooming,
Rocks, and nothing but—

Having, nonetheless,
Many small leaves implicit,
A green countlessness.

Crouching down, peering
Into perplexed recesses,
You find a clearing

Occupied by sun
Where, along prone, rachitic
Branches, one by one,

Pale stems arise, squared
In the manner of *Mentha*,
Their oblong leaves paired.

One branch, in ending,
Lifts a little and begets
A straight-ascending

Spike, whorled with fine blue
Or purple trumpets, banked in
The leaf-axils. You

Are lost now in dense
Fact, fact which one might have thought
Hidden from the sense,

Blinking at detail
Peppery as this fragrance,
Lost to proper scale

As, in the motion
Of striped fins, a bathysphere
Forgets the ocean.

It makes the head
Spin. Unfathomed thyme! The world's
A dream, Basho said,

Not because that dream's
A falsehood, but because it's
Truer than it seems.

—RICHARD WILBUR

ghostly world where life was easy: all one had to do was sit and weep. It takes effort to push back the stone from the mouth of the tomb."

Effort. Effort. Ah, but that strange-sounding word could invoke little sympathy from one who had not learned yet what it meant. Life must have been hardest for Mother in those years when we older ones were at college—no longer children, and still dependent on her. Indeed, we made more demands on her than ever then, having moved into new areas of activity and emotion. And of friends! Our friends came and went as freely as we did ourselves, so that the house was often like a café—and one where pets were not prohibited but took their places on our chairs and beds, as regardless as the people. And anyway it was hard to have sympathy for someone who got things into such a state as Mother. All over the house there was clutter. Her study was like the returned-letter department of a post office, with stacks of paper everywhere, bills paid and unpaid, letters answered and unanswered, tax returns, pamphlets, leaflets. If by mistake we left the door open on a windy day, we came back to find papers flapping through the air like frightened birds. Efficient only in that she managed eventually to conclude every task she began, Mother's methods always seemed to outsiders incapable of accomplishing anything whatever. In an attempt to keep order elsewhere, she made her own room the clearing house into which the rest of us put everything: things to be given away, things to be mended, things to be stored, things to be treasured, things to be returned—even things to be thrown out! By the end of the year, the room resembled an obsolescence dump. And no one could help her; the chaos of her life was as personal as an act of creation—one might as well try to finish another person's poem.

Tommy the Terrible Turtle
Sally's Zoo
Whitney Darrow, Jr

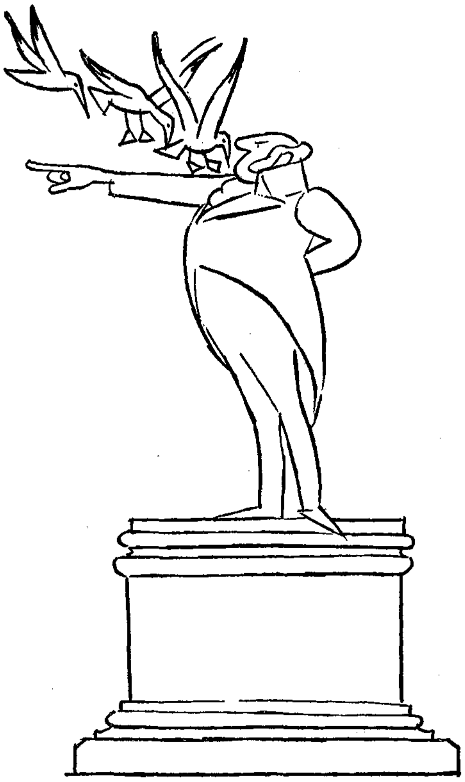
"It's your wife. What would you like for din-din?"

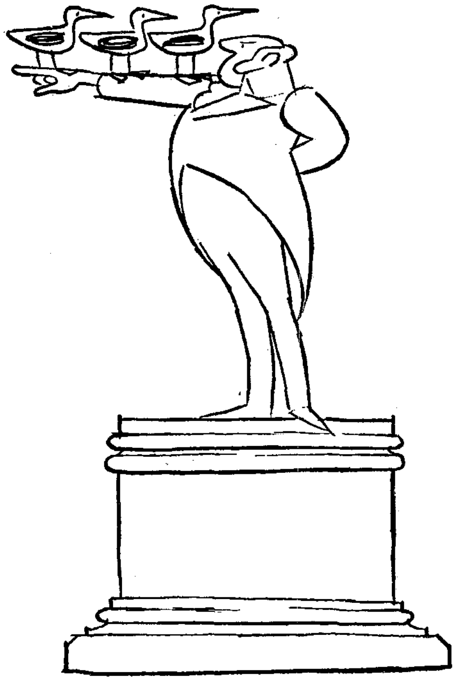
* * *

As the years passed, Mother rushed around more hectically. And although Bea and I had married and were not at home anymore, except at holiday time and for occasional weekends, Linda was noisier than the two of us put together had been, and for every follower we had brought home she brought twenty. The house was never still. Now that we were reduced to being visitors, we watched Mother's tension mount to vertigo, knowing that, like a spinning top, she could not rest till she fell. But now at the smallest pretext Father Hugh would call in the doctor and Mother would be put on the mail boat and dispatched for London. For it was essential that she get far enough away to make phoning home every night prohibitively costly.

Unfortunately, the thought of departure often drove a spur into her and she redoubled her effort to achieve order in her affairs. She would be up until the early hours ransacking her desk. To her, always, the shortest parting entailed a preparation as for death. And as if it were her end that was at hand, we would all be summoned, although she had no time to speak a word to us, because five minutes before departure she would still be attempting to reply to letters that were the acquisition of weeks and would have taken whole days to dispatch.

"Don't you know the taxi is at the door, Vera?" Father Hugh would say, running his hand through his gray hair and looking very dishevelled himself. She had him at times as distracted as herself. "You can't do any





more. You'll have to leave the rest till you come back."

"I can't, I can't!" Mother would cry. "I'll have to cancel my plans."

One day, Father Hugh opened the lid of her case, which was strapped up in the hall, and with a swipe of his arm he cleared all the papers on the top of the desk pell-mell into the suitcase. "You can sort them on the boat," he said, "or the train to London!"

Thereafter, Mother's luggage always included an empty case to hold the unfinished papers on her desk. And years afterward a steward on the Irish Mail told us she was a familiar figure, working away at letters and bills nearly all the way from Holyhead to Euston. "She gave it up about Rugby or Crewe," he said. "She'd get talking to someone in the compartment." He smiled. "There was one time coming down the train I was just in time to see her close up the window with a guilty look. I didn't say anything, but I think she'd emptied those papers of hers out the window!"

Quite likely. When we were children, even a few hours away from us gave her composure. And in two weeks or less, when she'd come home, the well of her spirit would be freshened. We'd hardly know her—her step so light, her eye so bright, and her love and patience once more freely flowing. But in no time at all the house would fill up once more with the noise and confusion of too many people and too many animals, and again we'd be fighting our corner with cats and dogs, slugs, bats, mice, and even bees. "Don't kill it!" Mother would cry if we raised a hand to an angry wasp. "Just catch it, dear, and put it outside. Open the window and let it fly away!" But even this treatment could at times be deemed too harsh. "Wait a minute. Close the window!" she'd cry. "It's too cold outside. It will die. That's why it came in, I suppose! Oh dear, what will we do?" Life would be going full blast again.

There was only one place Mother found rest. When she was at breaking point and fit to fall, she'd go out into the garden—not to sit or stroll around but to dig, to drag up weeds, to move great clumps of corms or rhizomes, or indeed quite frequently to haul huge rocks from one place to another. She was always laying down a path, building a dry wall, or making compost heaps as high as hills. However jaded she might be going out, when dark forced her in at last her step had the spring of a daisy. So if she did not succeed in defining happiness to our understanding, we could see that whatever it was, she possessed it to the full when she was in her garden.

One of us said as much one Sunday when Bea and I had dropped round for the afternoon. Father Hugh was with us again. "It's an unthinking happiness, though," he cavilled. We were standing at the drawing-room window, looking out to where in the fading light we could see Mother on her knees, weeding in the long border that stretched from the house right down to the woods. "I wonder how she'd take it if she were stricken down and had to give up that heavy work!" he said. Was he perhaps a little jealous of how she could stoop and bend? He himself had begun to use a stick. I was often a little jealous of her myself, because although I was married and had children of my own, I had married young and felt the weight of living as heavy as a weight of years. "She doesn't take enough care of herself," Father Hugh said sadly. "Look at her out there with nothing under her knees to protect her from the damp ground." It was almost too dim for us to see her, but even in the drawing room it was chilly. "She should not be let stay out there after the sun goes down."

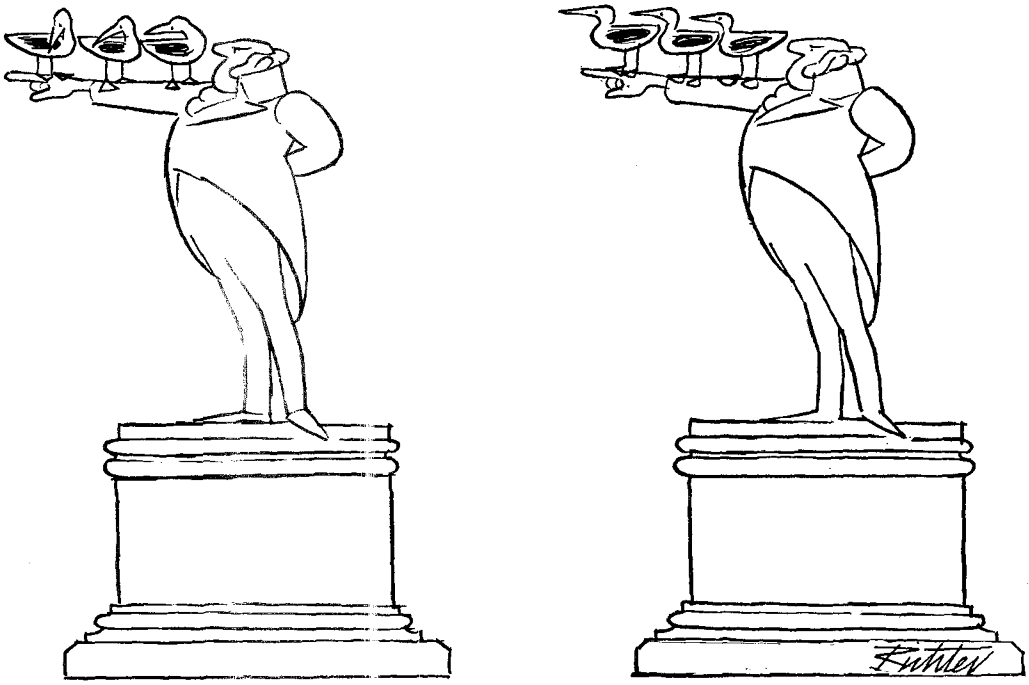
"Just you try to get her in then!" said Linda, who had come into the room in time to hear him. "Don't you know by now anyway that what would kill another person only seems to make Mother thrive?"

Father Hugh shook his head again. "You seem to forget it's not younger she's getting!" He fidgeted and fussed, and several times went to the window to stare out apprehensively. He was really getting quite elderly.

"Come and sit down, Father Hugh," Bea said, and to take his mind off Mother she turned on the light and blotted out the garden. Instead of seeing through the window, we saw into it as into a mirror, and there between the flower-laden tables and the lamps it was ourselves we saw moving vaguely. Like Father Hugh, we, too, were waiting for her to come in before we called an end to the day.

"Oh, this is ridiculous!" Father Hugh cried at last. "She'll have to listen to reason." And, going back to the window, he threw it open. "Vera!" he called. "Vera!"—sternly, so sternly that, more intimate than an endearment, his tone shocked us. "She didn't hear me," he said, turning back blinking at us in the lighted room. "I'm going out to get her." And in a minute he was gone from the room. As he ran down the garden path, we stared at each other, astonished; his step, too, was the step of a lover. "I'm coming, Vera!" he cried.

Although she was never stubborn



except in things that mattered, Mother had not moved. In the wholehearted way she did everything, she was bent down close to the ground. It wasn't the light only that was dimming, her eyesight also was failing, I thought, as instinctively I followed Father Hugh.

But halfway down the path I stopped. I had seen something he had not: Mother's hand that appeared to support itself in a forked branch of an old tree peony she had planted as a bride was not in fact gripping it but impaled upon it. And the hand that appeared to be grubbing in the clay in fact was sunk into the soft mold. "Mother!" I screamed, and I ran forward, but when I reached her I covered my face with my hands. "Oh Father Hugh!" I cried. "Is she dead?"

It was Bea who answered, hysterical. "She is! She is!" she cried, and she began to pound Father Hugh on the back with her fists, as if his pessimistic words had made this happen.

But Mother was not dead. And at first the doctor even offered hope of her pulling through. She lived for four hours. But from the moment Father Hugh lifted her up to carry her into the house we ourselves had no hope, seeing how effortlessly he, who was not strong, could carry her. When he put her down on her bed, her head hardly creased the pillow.

Like the days of her life, those four hours that Mother lived were packed tight with concern and anxiety. Partly conscious, partly delirious, she seemed to think the counterpane was her desk, and she scrabbled her fingers upon it as if trying to sort out a muddle of bills and correspondence. No longer indifferent now, we listened, anguished, to the distracted cries that had for all our lifetimes been so familiar to us. "Oh, where is it? Where is it? I had it a minute ago! Where on earth did I put it?"

"Vera, Vera, stop worrying," Father Hugh pleaded, but she waved him away and went on sifting through the sheets as if they were sheets of paper. "Oh Vera!" he begged. "Listen to me. Do you not know—"

Bea pushed between them. "You're not to tell her!" she commanded. "Why frighten her?"

"But it ought not to frighten her," said Father Hugh. "This is what I was always afraid would happen—that she'd be frightened when it came to the end."

At that moment, as if to vindicate him, Mother's hands fell idle on the coverlet, palm upward and empty. And, turning her head, she stared at each of us in turn, beseechingly. "I cannot face it," she whispered. "I can't! I can't! I can't!"

"Oh, my God!" Bea said, and she started to cry.

"Vera. For God's sake listen to me," Father Hugh cried, and pressing his face to hers, as close as a kiss, he kept whispering to her, trying to cast into the dark tunnel before her the light of his own faith, hope, and charity.

But it seemed to us that Mother must already be looking into God's exigent eyes. "I can't!" she cried. "I can't!"

Then her mind came back from the stark world of the spirit to the world where her body was still detained, but even that world was now a whirling kaleidoscope of things which only she could see. Suddenly her eyes focussed, and, catching at Father Hugh, she pulled herself up a little and pointed to something we could not see. "What will be done with them?" Her voice was anxious. "They ought to be put in water anyway," she said, and, leaning over the edge of the bed, she pointed to the floor. "Don't step on that one!" she said sharply. Then, more sharply still, she addressed us all. "Have them sent to the public ward," she said peremptorily. "Don't let that nun take them; she'll only put them on the altar. And God doesn't want them! He made them for *us*—not for Himself!"

It was the familiar rhetoric that all her life had characterized her utterances. For a moment we were mystified. Then Bea gasped. "The daffodils!" she cried. "The day Father died!" And over her face came the light that had so often blazed over Mother's. Leaning across the bed, she pushed Father Hugh aside. And, putting out her hands, she held Mother's face between her palms as tenderly as if it were the face of a child. "It's all right, Mother. You don't *have* to face it! It's over!" Then she who had so fiercely forbade Father Hugh to do so blurted out the truth. "You've finished with this world, Mother," she said, and, confident that her tidings were joyous, her voice was strong.

Mother made the last effort of her life and grasped at Bea's meaning. She let out a sigh, and, closing her eyes, she sank back, and this time her head sank so deep into the pillow that it would have been dented had it been a pillow of stone. —MARY LAVIN

●

E. e. cummings is perhaps best known for "archie and mehitabel." Nov. 24 at the Playhouse . . . this is a must.—*Irma Nofziger in the Laguna Beach (Calif.) News-Post.*

It isn't a must if we don't want to go.

ANNALS OF LEGISLATION

THE TURNING POINT

PROBABLY the most distinctive characteristic of the successful politician is selective cowardice. The ordinary member of Congress, for example, spends much of his time twisting to meet this duty of office and turning to sidestep that one, all the while doing his best to make it appear that he is striding forward on a straight course that is set neither by favor nor by fear. What he tries most to avoid is carrying out any of his responsibilities in a way that might offend someone—almost *anyone*—for in political life it is the enemies, not the friends, one makes that count. As the seasoned politician also knows, it is usually the small step wrongly taken that sends one sprawling—say, the failure to do a favor for a constituent who has more political clout than one realizes, or the decision to vote for a minor provision of a minor bill which turns out to be against the vital interests of a group of determined constituents. Since senators and representatives are under such conflicting and relentless pressures that they cannot hope to avoid offending someone on just about every small issue that comes along, they generally try to make up for it by displeasing as few voters as possible on the big ones. More often than not, though, issues get big because members of Congress ignore them when they are small, avoid them as they grow, and attribute them to the wrong causes once they are unmanageably large. When this happens, the public, unaware that it has been misled by Congress about the nature of the problem, is almost certain to demand a resolution that is wrong. And Congress, tangled in deceit and weakened by timidity, is almost certain to grant it.

"And you! What are you doing to help Aida and Radames? Will you just sit there and let them die?"

On June 6th, Congress enacted a law called the Omnibus Crime Control and Safe Streets Act of 1968, or, as it is more commonly known, the Crime Bill. Despite the views of all those who voted against it, many of those who voted for it, and most of those who didn't vote at all that the bill was a piece of demagoguery devised out of malevolence and enacted in hysteria, it was passed almost unanimously; in the House only seventeen members voted against it, and in the Senate only four. One senator who was necessarily absent when the roll was called but who announced that he would have voted against the measure had he been present was Wayne Morse, Democrat of Oregon, a former law-school dean who had been a member of Congress for twenty-three years; the bill, he told his colleagues during their deliberations on it, was "the most shocking and damaging piece of legislation I can remember being presented to the Senate." Other events of the spring—President Johnson's withdrawal as a candidate, two assassinations, and riots in a hundred cities—largely obscured the public's awareness of the bill, but to many outsiders who watched its progress final enactment of the measure surpassed any congressional folly within memory. "It will certainly damage this country severely, and it conceivably could destroy democracy as we know it," one of them said at the time. "At the very least, it constitutes a great leap toward a police state."

EARLY in 1967, the Commission on Law Enforcement and Administration of Justice, which the President had set up a year and a half before to study the causes of the alarming rise in the rate of crime in the United States and to propose remedies for it, submitted its report, entitled "The Challenge of Crime in a Free Society," to the White House. Like other crime studies, this one showed "that most crimes, wherever they are committed, are committed by boys and young men, and that most crimes, by whomever they are committed, are committed in cities." The facts were not particularly surprising, but to many readers the Commission's conclusions were. While it recommended immediate steps to upgrade the quality of the police and their methods, to revise outdated court systems, and to improve correctional techniques, it re-

NOEL
B TOBEY

"*Dad, can I have like a ten-spot to tide me over until Santa comes down the chimney?*"

• •

peatedly stated that a lasting solution would require widespread recognition of basic matters that had long been overlooked or ignored and the development of a comprehensive program that would take as much money and understanding as the nation could muster. According to the Commission's report:

> It is with the young people and the slum dwellers who have been embittered by these painful social and economic pressures that the criminal justice system preponderantly deals. Society insists that individuals are responsible for their actions, and the criminal process operates on that assumption. However, society has not devised ways for ensuring that all its members have the ability to assume responsibility. It has let too many of them grow up untaught, unmotivated, unwanted. The criminal justice system has a great potential for dealing with individual instances of crime, but it was not designed to eliminate the conditions in which most crime breeds. It needs help. Warring on poverty, inadequate housing, and unemployment is warring on crime. A civil rights law is a law against crime. Money for schools is money against crime. Medical, psychiatric, and family-counseling services are services against crime. More broadly and most importantly every effort to improve life in America's "inner cities" is an effort against crime. A community's most enduring protection against crime is to right the wrongs and cure the illnesses that tempt men to harm their neighbors. . . . We will not have dealt effectively with crime until we have alleviated the conditions that stimulate it. To speak of controlling crime only in terms of the work of the police, the courts, and the correctional apparatus is to refuse to face the fact that widespread crime implies a widespread failure by society as a whole.

The Commission also pointed out, more or less in passing, that crime in this country was not on the rise quite as rampantly as most people thought. Much of the increase shown in statistics on crime in recent years has been due to a greater willingness on the part of the public to report crimes when they occur and a greater willingness on the part of public officials to keep complete records. Until a decade or two ago, for instance, the majority of crimes—those committed by the poor upon the poor in slums—were seldom reported, whereas increasing numbers of them are today. Further, current statistics include "crimes" that formerly never got on the books—youthful offenses like truancy, smoking, and running away from home, which make up a good portion of the half-million crimes committed every year by youngsters, and adult offenses like drunkenness, which make up one-third of all crimes. On the other hand, the Commission pointed out that in some areas an estimated nine crimes go unreported for every one that is reported, and it readily acknowledged that "the existence of crime, the talk about crime, the reports of crime, and the fear of crime have eroded the basic quality of life of many Americans."

The fear of crime, more than the fact of it, guaranteed that some kind of action would be taken, for the public demand had to be met. On February 6, 1967, the President took the first of many steps to meet it when he sent Congress a message on crime, in which he warned the legislators that "crime—and the fear of crime—has become a public malady," and went on to remind them of their "duty to seek its cure." His legislative recommendation, which he sent along with the message, was a bill called the Safe Streets and Crime Control Act of 1967—a title calculated to be politically irresistible. "It not only suggests that we're going to stop riots, muggings, and rapes but it also has a nostalgic quality—sort of a call back to the shady streets of 1910," an aide to one senator remarked. The bill provided federal aid to localities that set up approved programs for recruiting and training police, for modernizing equipment and reorganizing law-enforcement agencies, for developing advanced rehabilitation techniques and new ways to ease the return of ex-convicts to society, for modernizing court systems, and for setting up crime-prevention activities in schools, colleges, and welfare agencies. Since police power is the most jealously guarded of all state and local rights, the federal government was unable to do anything more than assist state and local law-enforcement agencies in improving the use of that power. The approach seemed unduly modest to many observers, but to the Administration this kind of help was vital if local efforts to control crime were to be effective. Back in 1961, a survey of three hundred police departments around the country had revealed that less than one per cent required any college training. Three years later, a pilot study ordered by the President showed that most criminals were mentally below average, which suggested that policemen who failed to stop or find them might not be much above it. As for police investigative technology, the police commissioner of Detroit had stated that until recent years there wasn't any. "Thirty years ago, they put a radio in a police car, and very little happened after that," he said. Furthermore, it was clear that the country's jail and prison system was little more than a giant crime school. Attorney General Ramsey Clark pointed out that three-fourths of those convicted of felonies had previously been convicted of misdemeanors, and that half of all the felons in prison were going to commit other felonies after release. "Corrections is a key, a very major part, of our total opportunity to reduce crime," he said. "If we cut the rate of recidivism in half—and science tells us we can—a major part of our crime will be eliminated." Nevertheless, matters were more or less at a standstill, he added, because "to date there has been no major national investment in corrections research." The most modest part of the Administration's proposal was its funding—limited because of the costs of the war in Vietnam—and the most the President could offer was fifty million dollars for the first year of the program and three hundred million dollars for the second year. Even the latter sum was paltry, considering that the annual cost of the country's entire system of criminal justice amounted to four billion dollars.

Members of Congress did not need the President's warning about the "public malady." They had just finished campaigns for election and reelection or annual fence-mending visits back home, and they knew the extent of their constituents' anxiety. It was greatest in and around large cities, but even in towns and villages where crime consisted of an occasional traffic violation or an arrest for drunkenness residents put crime at the top of their list of domestic concerns. Accordingly, no one in the capital doubted that Congress would give the President what he asked for, and when the bill was submitted in the Senate twenty-one members quickly lined up as co-sponsors. The measure, officially designated S. 917, was actually introduced by Senator John L. McClellan, Democrat of Arkansas, who was chairman of the Subcommittee on Criminal Laws and Procedures, which had been given jurisdiction over it. McClellan, who prides himself on being the Senate's fiercest crimebuster, evidently had little interest in the bill itself, as indicated by his stipulation that the records of his sponsorship of it include the words "by request." To him, it was pantywaist legislation. A stern and obdurate man with the mien of a Puritan patriarch who has just led his band ashore and now must get down to the real task of saving them from themselves, McClellan has scoffed at the notion that social unrest has social causes; he has sought not more laws but more freedom for police and prosecutors to use the laws they have—and more or less as they please. Those inside Congress and out who hoped that it would not approach the task of insuring domestic tranquillity simply by locking everybody up had little reason to believe that McClellan would provide the kind of leadership they had in mind. For one thing, his critics pointed out, most crime was committed in large cities, and McClellan was from a rural state, whose largest city had a population of a little over a hundred and twenty-five thousand. For another, most crime was committed by Negroes, and McClellan was a segregationist. And, finally, most crime was committed by the poor and disenfranchised, and McClellan had consistently voted to exclude them from the full functions of citizenship. "John thinks that the poor should not be listened to because they are not responsible members of society," one of his opponents on Capitol Hill has explained. "As he sees it, only the responsible people—that is, men of property—should have rights and run things." In the view of his harshest detractors, McClellan ultimately believed that the key to law and order was the one that was turned in the cell door of a criminal—or even a likely suspect—and then thrown away.

It soon became apparent that McClellan's chief interest in S. 917 lay in the opportunity it gave him to convene his subcommittee and hold hearings on the state of crime in general and his own favorite solutions to the problem in particular. He had already laid the groundwork. Informed beforehand of the President's intentions, McClellan had prepared and introduced two anti-crime measures of his own a couple of weeks before the White House sent S. 917 to him. The first of these, S. 674, went into the Senate hopper on January 24th and was widely expected to stay there. Among legal scholars, it was put down at the time as nothing more than another futile attack on the Supreme Court, since it attempted to legislatively overturn two Supreme Court decisions, which, they held, could only be overturned by Constitutional amend-

SAFETY AT FORTY

OR, AN ABECEDARIAN TAKES A WALK

Alfa is nice. Her Roman eye
Is outlined in an O of dark
Experience. She's thirty-nine.
Would it not be kind of fine
To take her quite aback, affront
Her forward manner, take her up
On it? Echo: Of course it would.

Betta is nice. Her Aquiline
Nose prowly marches out between
Two raven's wings of black sateen
Just touched, at thirty-five, with gray.
What if I riled her quiet mien
With an indecent, subterrene
Proposal? She might like me to.

Gemma is nice. Her Modenese
Zagato body, sprung on knees
As supple as steel coils, shocks
Me into plotting to acquire
The keys to her. She's twenty-nine.
Might I aspire to such a fine
Consort in middle age? Could be.

Della is nice. Calabrian
Suns engineered the sultry tan
Over (I'm guessing) all of her long
And filly frame. She's twenty-one.
Should I consider that she might
Look kindly on my graying hairs
And my too-youthful suit? Why not?

O Megan, all-American
Wife waiting by the hearth at home,
And handsome still at forty-five
As any temptress now alive,
Must I confess my weariness
At meeting stringent mistresses
And head for haven? Here I come.

—L. E. Sissman

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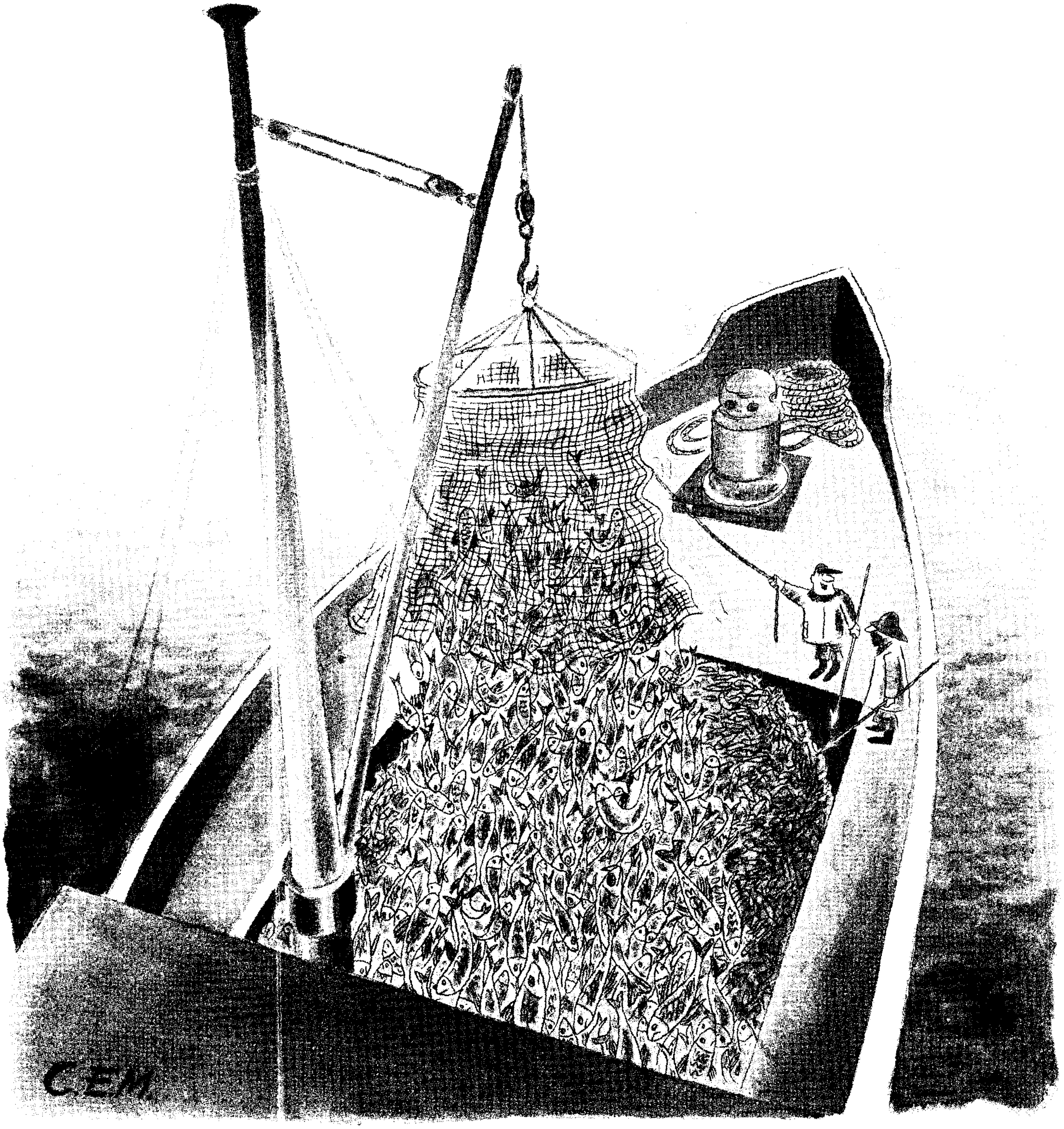


“Brain food! Looking at the world today, you wonder what the hell happens to all of it.”

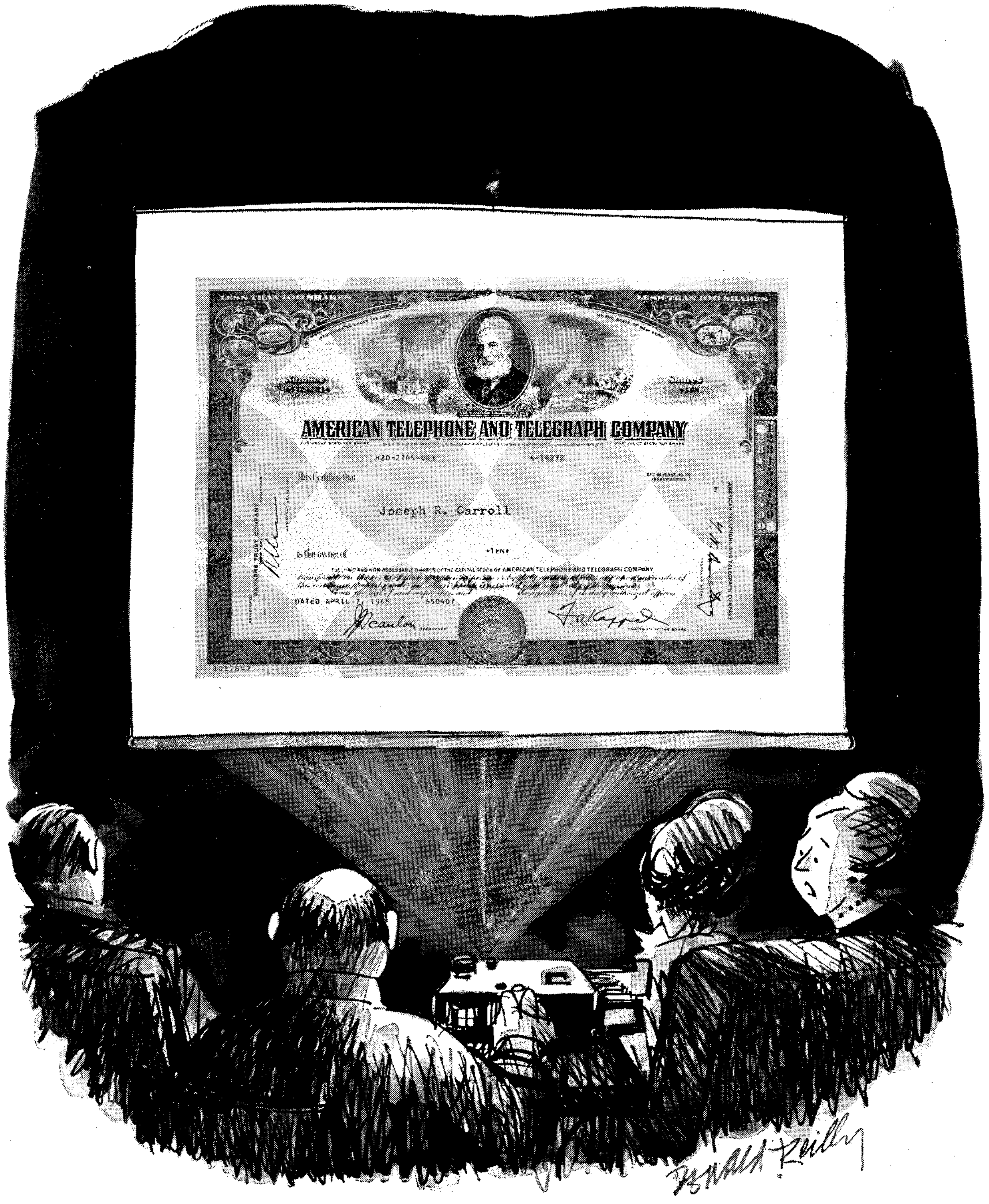
• •

ment or by a subsequent ruling of the Court itself. The decisions McClellan was out to change were two landmark cases—Mallory v. United States (1957) and Miranda v. Arizona (1966)—which, along with several decisions handed down in the period between these two, reflected a growing concern on the part of the Court about abuses of defendants’ Constitutional rights in criminal actions. The Mallory decision, by a unanimous Court, held that if an arresting officer failed to comply with the requirement laid down by the Federal Rules of Criminal Procedure that an arrested person be brought before a magistrate for a preliminary hearing “without unnecessary delay” a confession obtained during such a delay would be inadmissible in court. The purpose of the ruling, of course, was to prevent the police from obtaining confessions, valid or not, by the pressure of holding suspects incommunicado and questioning them intensively at inordinate length. Such methods, the Court held, were too often used when suspects were unaware of their specific rights or, indeed, that they had any rights. Following Mallory, the Court ruled on two cases that were to have an even greater effect on criminal law. The first decision was Gideon v. Wainwright, handed down in 1963 by a unanimous vote, which stipulated that if a defendant in a criminal case could not afford a lawyer the state had to provide one at his request—a reversal of a long-standing Court ruling that free counsel was mandatory only in capital cases. That was followed, in 1964, by a five-to-four decision in the case of Escobedo v. Illinois, in which the Court stated that when a police investigation switched from "the exploratory to the accusatory stage" a suspect had to be allowed to consult a lawyer if he wished. Finally, in Miranda, Chief Justice Earl Warren, speaking for the majority in a five-to-four decision, stated that "when an individual is taken into custody or otherwise deprived of his freedom by the authorities and is subjected to questioning, the privilege against self-incrimination is jeopardized." As a safeguard, he went on, a suspect "must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney, one will be appointed for him prior to any questioning if he so desires;" moreover, the Chief Justice added, "opportunity to exercise these rights must be afforded to him throughout the interrogation."

The essential concern of the Court in most of these cases centered on the role of confessions in our system of criminal law. Confessions are a favorite resort of law-enforcement officers, sometimes because they can't find the hard facts that would make a tight case, and other times because they are too lazy to go out and get them. Sir James Fitzjames Stephen, a prominent Victorian jurist, once remarked, "It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence." That, of course, was the reason for the Fifth Amendment's protection against involuntary self-incrimination. If it is true, as Judge Walter V. Schaefer, of the Illinois Supreme Court, has held, that "the quality of a nation's civilization can be largely measured by the methods it uses in the enforcement of its criminal law," then the part played by confessions in that enforcement is critical. The threat to justice, and to society, posed by the careless use of confessions was perhaps best explained by John Henry Wigmore, for many years dean of the Faculty of Law at Northwestern University, in his famous ten-volume work, "Treatise on Evidence":

> Any system of administration which permits the prosecution to trust habitually to compulsory self-disclosure as a source of proof must itself suffer morally thereby. The inclination develops to rely mainly upon such evidence, and to be satisfied with an incomplete investigation of the other sources. The exercise of the power to extract answers begets a forgetfulness of the just limitations of that power. The simple and peaceful process of questioning breeds a readiness to resort to bullying and to physical force and torture. If there is a right to an answer, there soon seems to be a right to the expected answer—that is, to a confession of guilt. Thus, the legitimate use grows into the unjust abuse; ultimately, the innocent are jeopardized by the encroachments of a bad system.

McClellan and his followers were quick to point out that the use of the third degree, while once the general practice followed by police in this country, had fallen off to the point where it was rarely found. To be sure, it had decreased markedly—largely because of Supreme Court reversals of convictions where there was any sign of it—but in the opinion of Chief Justice Warren in the Miranda case it was still "sufficiently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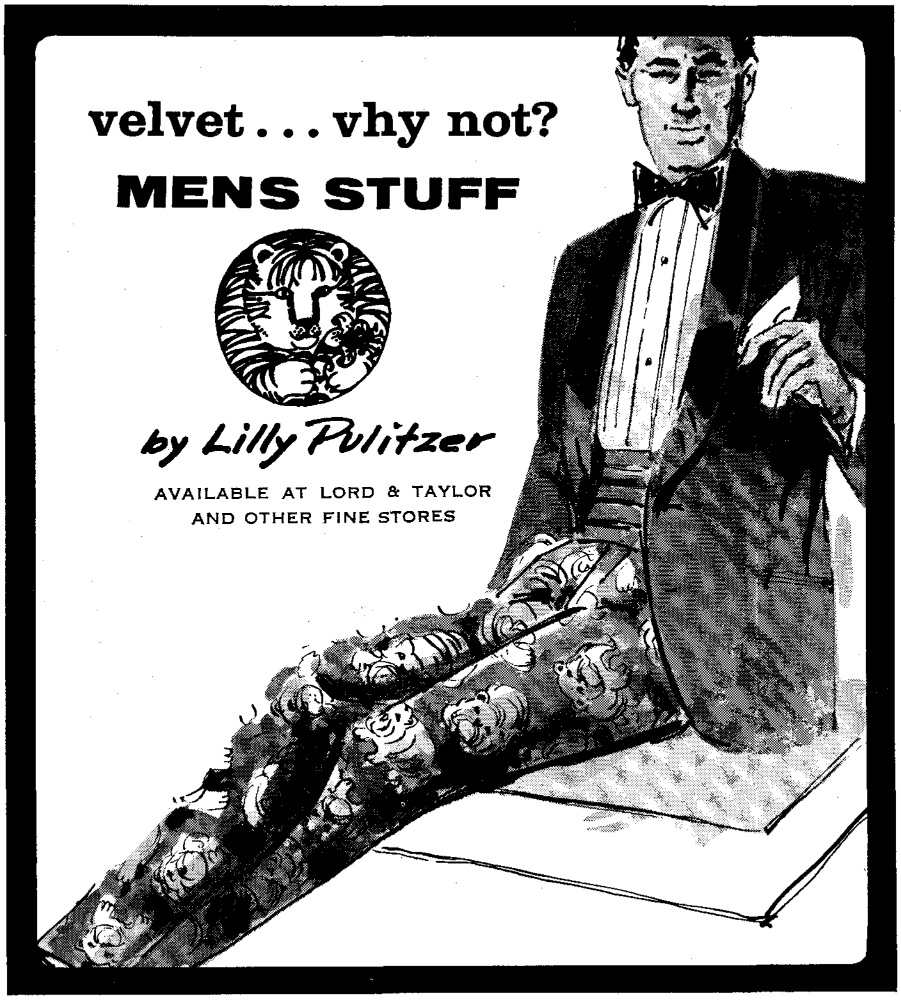

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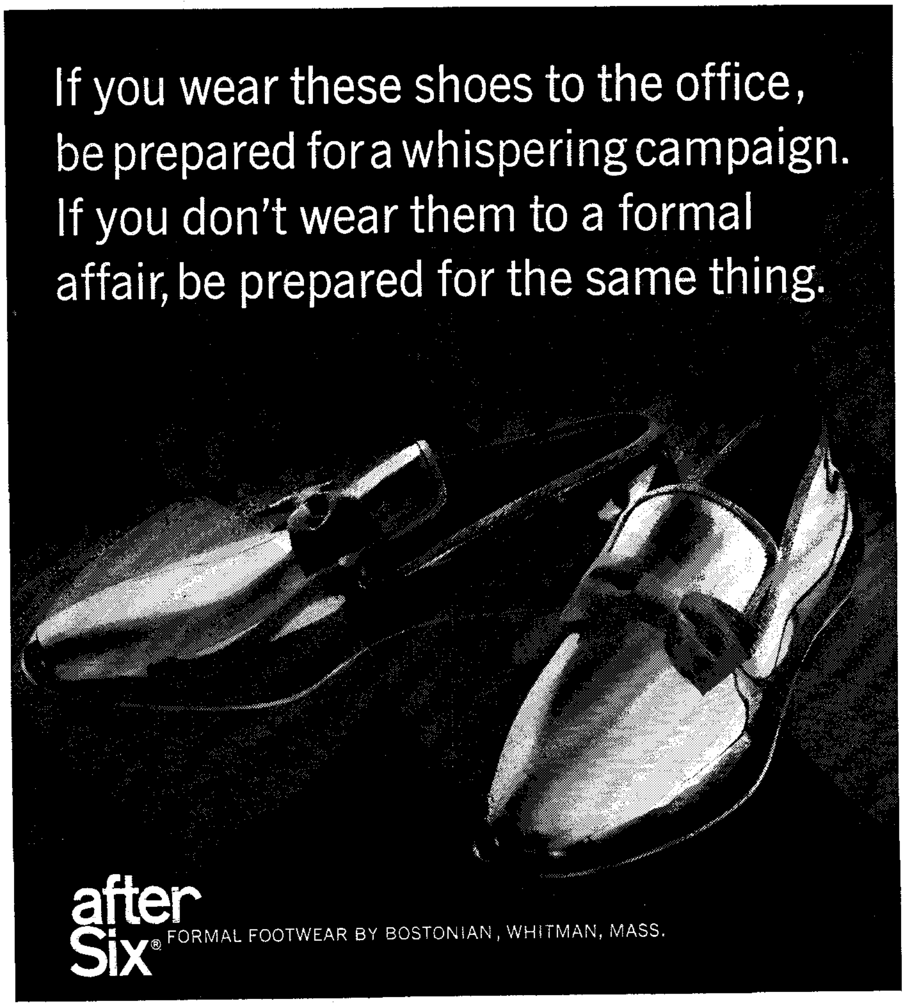

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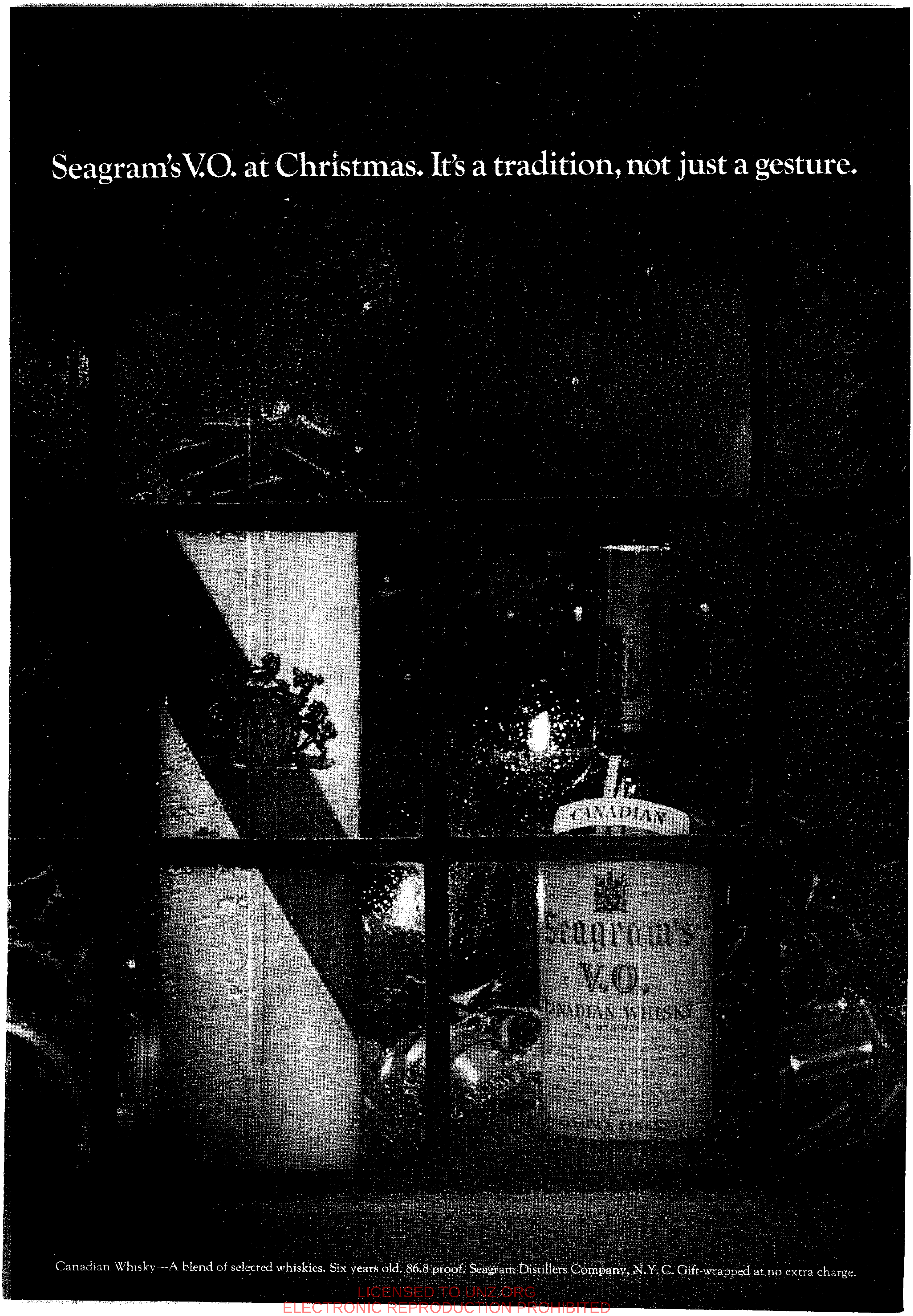
widespread to be the object of concern." Of far greater concern, he continued, was the simultaneous growth of the sophisticated use of psychological pressures on suspects during interrogation, which had led him to conclude that "the blood of the accused is not the only hallmark of an unconstitutional inquisition." To illustrate this, he cited some instructions taken from several police manuals on interrogation. One suggested that all interviews with suspects be conducted in police headquarters or at least a place of the investigator's choice, and explained, "The subject should be deprived of every psychological advantage. In his own home he may be confident, indignant, or recalcitrant. He is more keenly aware of his rights and more reluctant to tell of his indiscretions of criminal behavior within the walls of his own home. Moreover, his family and other friends are nearby, their presence lending moral support. In his own office, the investigator possesses all the advantages. The atmosphere suggests the invincibility of the forces of the law." Investigators, once within the walls that they found as reassuring as the suspect found frightening, were advised to try out various "tricks," such as assuring the suspect that they knew the basic truth and wanted only some small details filled in; sympathizing with the suspect until they had convinced him that the victim or society was really at fault and he was morally guiltless; and persuading the suspect to claim that he had committed the crime in self-defense, and then persuading him to divulge some seemingly insignificant fact to make a plea of self-defense impossible. If all this failed, the investigator was advised that he "must interrogate steadily and without relent, leaving the subject no prospect of surcease." If this also failed, still other means were at hand. One was to put a suspect in a lineup and have a coached witness pick him out as the criminal; afterward the suspect was to be asked about details of the crime, as if the question of guilt were all settled. Another was to employ what one manual called a "reverse lineup," in which the suspect "is identified by several fictitious witnesses or victims who associated him with different offenses." After that, the manual concluded, "it is expected that the subject will become desperate and confess to the offense under investigation in order to escape from the false accusations."

Critics of the Miranda ruling complained that it brought lawyers into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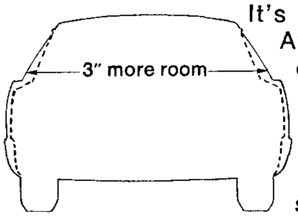

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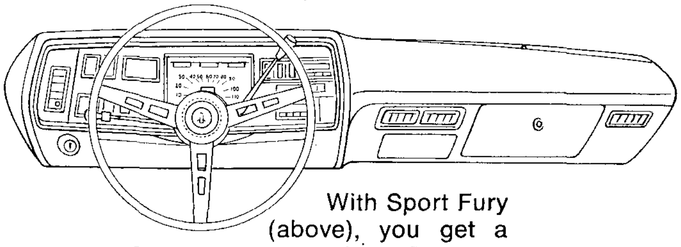

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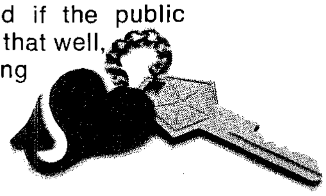

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criminal proceedings very near the start—that is, when suspects asked for their help. And, as Senator McClellan said, "it is widely known that counsel will advise the suspect to make no statement at all." In the Escobedo case, Justice Arthur Goldberg addressed himself to this point in the majority opinion. "No system worth preserving should have to *fear* that if an accused is permitted to consult with a lawyer, he will become aware of, and exercise, these rights," he wrote. "If the exercise of constitutional rights will thwart the effectiveness of a system of law enforcement, then there is something very wrong with that system." That lawyers invariably advise silence is, as McClellan contended, widely known—by members of crime syndicates, professional criminals, anyone who has spent time in prison, and reasonably enlightened citizens. But it is not so widely known by those McClellan seemed to be after—the poor and the ignorant, most of whom have seen little sign in their lives that they possess any rights at all. "The defendant who does not ask for counsel is the very defendant who most needs counsel," Chief Justice Warren said in Miranda. "The need for counsel in order to protect the [Fifth Amendment] privilege exists for the indigent as well as the affluent. In fact, were we to limit these constitutional rights to those who can retain an attorney, our decisions today would be of little significance. The cases before us, as well as the vast majority of confession cases with which we have dealt in the past, involve those unable to retain counsel."

It was clear that the Chief Justice expected the Miranda ruling to set off a round of protests by policemen and prosecutors, and to create fresh demands that Congress take steps to control the Court—which seemed to happen now whenever the Court announced an opinion—for he warned, "Where rights secured by the Constitution are involved, there can be no rule-making or legislation which would abrogate them." McClellan was not intimidated by this statement; neither was he put off by the weight of juridical opinion throughout the nation's history, which unanimously affirmed the role of the Supreme Court as final arbiter over what the Constitution and the Bill of Rights mean; nor, finally, was he concerned about upsetting the delicate balance that keeps the three branches of our government separate and upright. Perhaps none of these considerations made him pause because he was convinced, like every-

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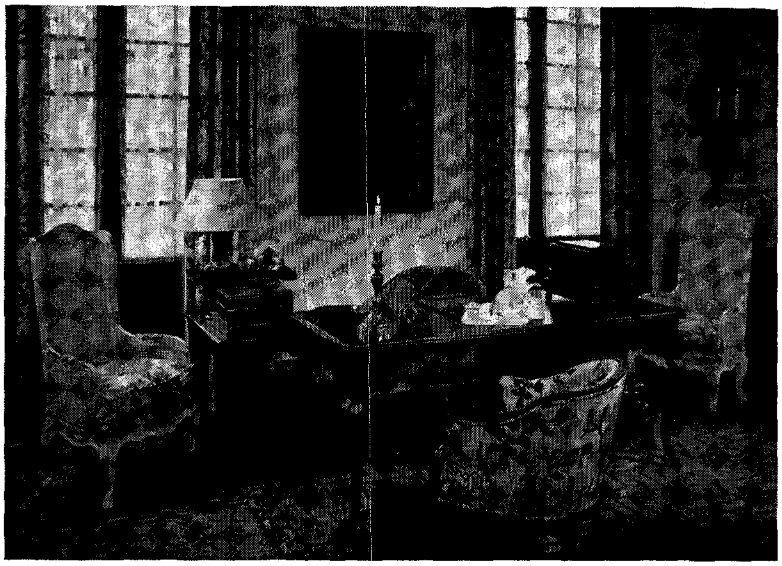

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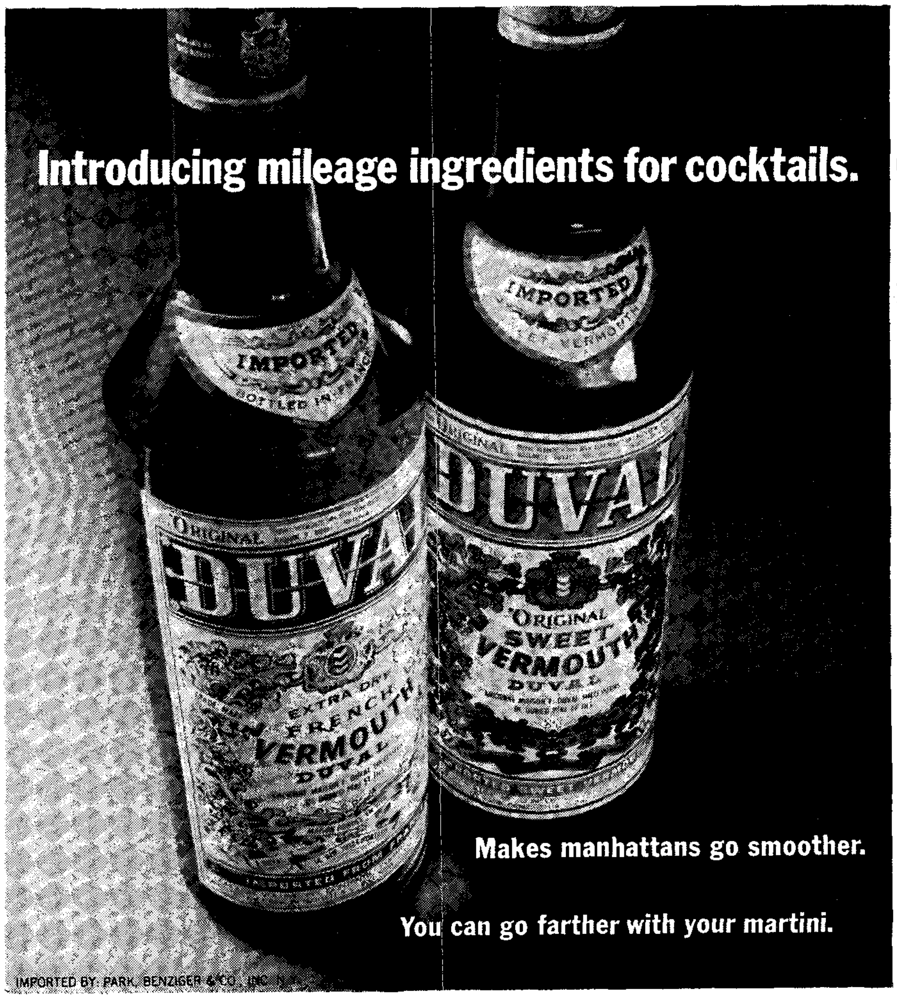
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one else at the time, that his bill had no chance. "John can be an awful demagogue when he wants to, and this was one time when he wanted to," a fellow-senator remarked later. "The bill was just a way of lambasting the Court and getting some publicity for making a good try. Of course, if anything came of it, so much the better."

S. 674 was less than a page long. "In any criminal prosecution brought by the United States or by the District of Columbia, a confession . . . shall be admissible in evidence if it is voluntarily given," it declared. That was enough to repeal Miranda in all federal cases and, by inevitable extension as state legislatures followed suit, in all other cases, too. In sum, it returned matters to the guideline that had traditionally been followed when a question about the validity of a confession was raised—namely, whether it was offered without coercion of any kind. The bill went on to instruct trial judges to determine whether confessions were voluntary or involuntary by measuring them against such factors as whether the length of time from arrest to arraignment, if the confession was given *in between the two, was inordinate*; whether the defendant knew the nature of the offense he was charged with; whether he was told or knew that he could remain silent and that anything he said might be held against him; whether he was told that he had a right to counsel; and whether counsel was present when he was questioned and when he confessed. While all of these questions were to be considered by the trial judge, he was bound by none of them.

The second part of S. 674 disposed of Mallory, by stating that in federal courts a confession was not "inadmissible solely because of delay in bringing such person before a commissioner or other officer empowered to commit persons charged with offenses" as long as the trial judge found that the confession had been given voluntarily and it had been left to the jury to weigh in its over-all deliberations. In other words, a suspect could be held indefinitely. This part of the bill threw out Rule 5 of the Federal Rules of Criminal Procedure, but since those rules had been devised by the Supreme Court with the assent of Congress, McClellan's supporters argued, it was perfectly proper for Congress to withdraw its assent and revise the rules. Some others, however, held that a revision of the sort McClellan proposed would violate the Constitution, because it abused the Fifth Amendment pro-

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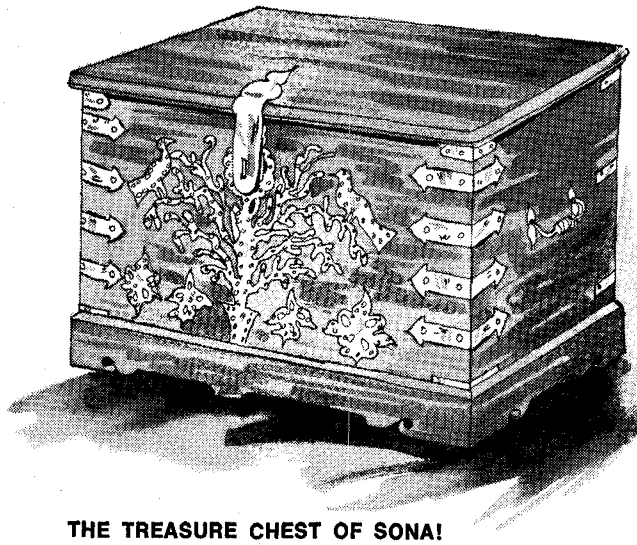

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hibition against self-incrimination and the Fourteenth Amendment insistence on due process. Rule 5, they pointed out, had been an effort to elaborate and define Constitutionally based rights, and it could only be broadened, not narrowed.

"The reason the police cannot stop crime is the Court decisions," Senator McClellan tirelessly repeated, in one form or another. And his opponents tirelessly responded that the contention was, in the words of former Attorney General Nicholas deB. Katzenbach, "unutterable nonsense." The hardened criminal already knew his rights, they said, and the ordinary desperado would hardly wait for a signal from Washington before he robbed, mugged, or raped someone. A few people found the charges and countercharges irrelevant, because in their opinion McClellan's actions had nothing to do with crime but everything to do with a conspiratorial attack on the Supreme Court. As this group saw it, McClellan was using the growing unpopularity of the Court's decisions in criminal cases—much of which he and his followers had created in the first place—to give it a thrashing for its decisions in civil-rights cases, particularly the 1954 decision to desegregate public schools. Evidence for this theory grew apace. First was the list of S. 674's co-sponsors—all arch-conservative Southerners, along with their most faithful ally in the North, Roman L. Hruska, Republican of Nebraska, a man who has apparently long lived with the harrowing fear that somewhere someone may be helping the helpless. Then, shortly before McClellan convened the Subcommittee on Criminal Laws and Procedures for hearings on S. 917, S. 674, and more than a dozen other anti-crime bills awaiting action by the Senate, James O. Eastland, the chairman of the subcommittee's parent body, the Committee on the Judiciary, unexpectedly expanded the subcommittee by adding one of the Senate's more liberal members, Edward M. Kennedy, and two of its most reactionary members, Strom Thurmond, the Democrat-turned-Dixiecrat-turned-Republican from South Carolina, and himself. The lineup put McClellan, Eastland, Hruska, Thurmond, and Sam J. Ervin, Jr., Democrat of North Carolina, on the far right; Kennedy and Philip A. Hart, Democrat of Michigan, slightly to the left; and Hugh Scott, Republican of Pennsylvania, in the center. Another piece of evidence supporting the conspiracy theory was a move by Senator Ervin, a few days before the

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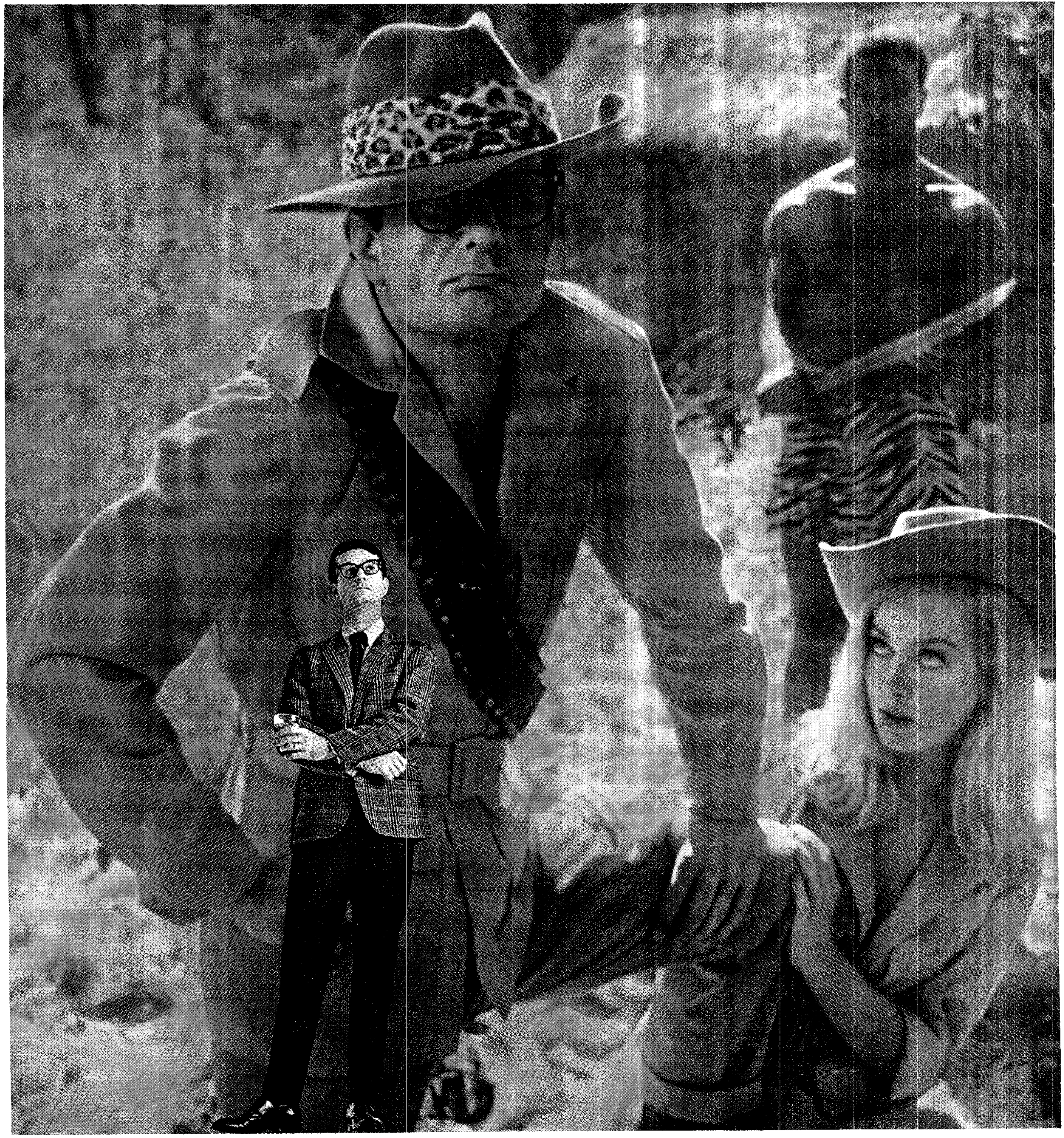

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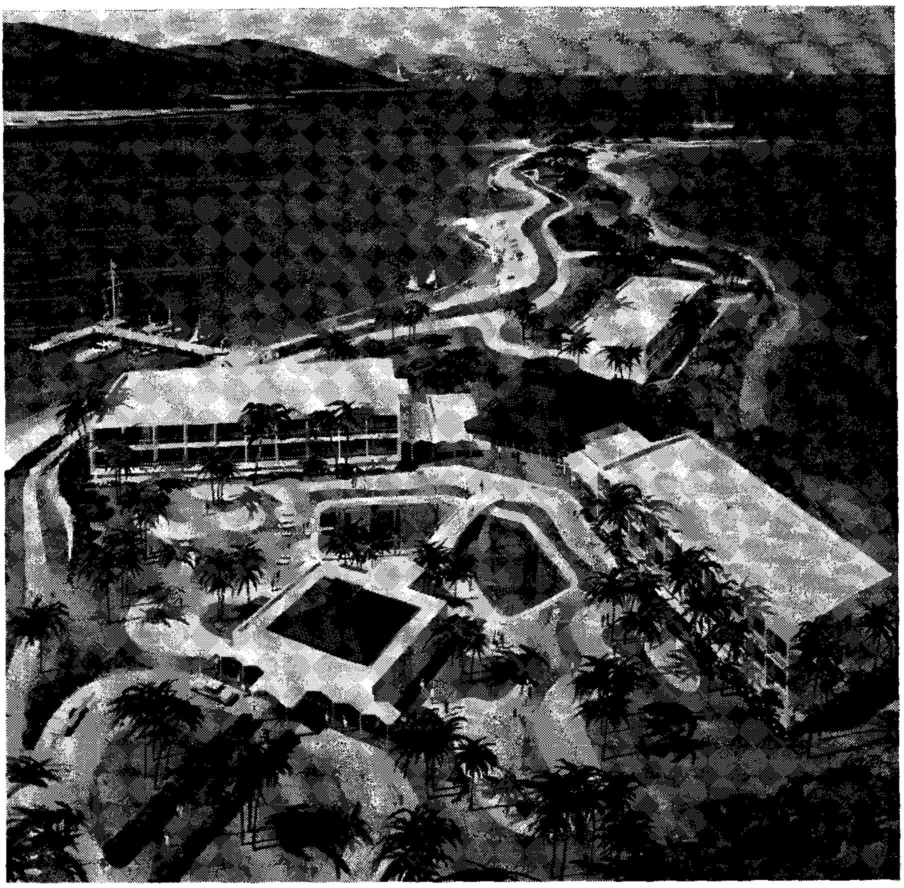
hearings opened, to file a resolution proposing a Constitutional amendment to restrict the powers of the Supreme Court. In effect, the amendment would eliminate the Court's authority to review confessions in federal and state criminal cases as long as the trial courts involved affirmed the voluntary character of the confessions. This would accomplish the same thing as McClellan's bill, except that it would extend the limitation on the Court directly to state cases. It also indicated that Ervin, the Senate's leading expert on Constitutional law, believed that McClellan's attempt to curb the Court by way of legislation might well be un-Constitutional.

"IT is quite probable that these hearings and the bills we will be considering will mark the turning point in the struggle against lawlessness in this nation," McClellan said in his opening statement when the hearings began, on March 7, 1967, which happened to be in the middle of Law Enforcement Week. It was an ominous prophecy, and it was made more ominous a few minutes later when Senator Ervin announced that he had come to a turning point of his own and had concluded that Congress had the power, after all, to enact legislation along the lines of what he had proposed in his Constitutional amendment. "I am, therefore, introducing today a bill which would remove the jurisdiction of the Supreme Court and inferior federal appellate courts to reverse or otherwise disturb a ruling by a federal trial court admitting a confession as voluntarily made if such ruling is supported by any competent evidence," he said. "The bill would also similarly limit the jurisdiction of federal courts to review, reverse, or otherwise disturb a ruling by a state trial court that a confession is voluntary and admissible if such ruling has been upheld by the highest appellate court of that state."

Of course, if there was to be a concerted attack on the Court, a Constitutional amendment would have been of little help immediately anyway, since it would require the approval of two-thirds of the members of the House and the Senate and ratification by three-fourths of the states—a long, arduous, and chancy business at best. Legislation to the same end would be far quicker and easier. If it should subsequently be knocked down as un-Constitutional, that outcome would increase the numbers and ire of the Court's opponents, and thereby perhaps intimidate both the Court and



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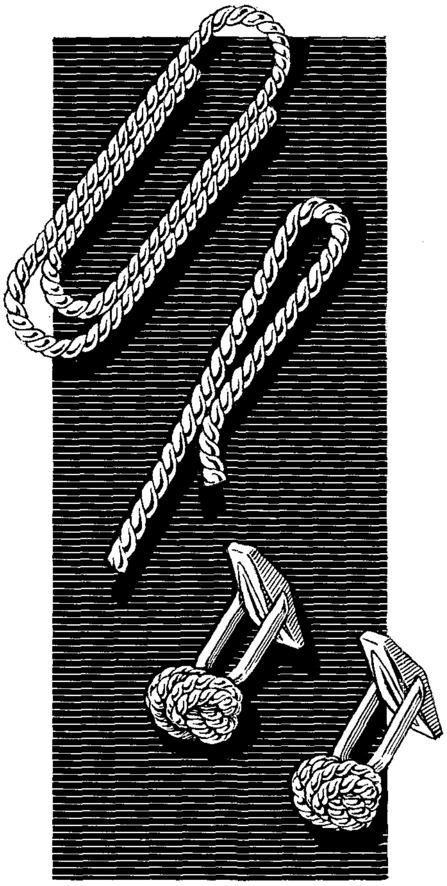

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any President who was about to appoint a new justice; at the same time, it would make the passage of a Constitutional amendment more likely later on. Among the co-sponsors of Ervin's bill were two subcommittee members, Thurmond and Eastland, along with such Southern Democrats as Ernest F. Hollings, of South Carolina; Robert C. Byrd, of West Virginia; B. Everett Jordan, of North Carolina; Harry F. Byrd, of Virginia; Lister Hill, of Alabama; Allen J. Ellender, of Louisiana; Herman E. Talmadge, of Georgia; and Russell B. Long, of Louisiana, the Majority Whip. At the Northern end of the axis were right-wing Republicans like Bourke B. Hickenlooper, of Iowa; Paul J. Fannin, of Arizona; Wallace F. Bennett, of Utah; and Clifford P. Hansen, of Wyoming. None of them came from states with the kind of great urban centers where most of the nation's crime is committed.

Senator McClellan is known as the most adroit committee chairman on the Hill when it comes to generating publicity for something that he is concerned about, or that he wants to appear to be concerned about. A former rural prosecutor of the jury-rail-thumping variety, he has always made great use of simplicity in conducting Senate hearings. Characteristically, he has stuck to one main point and one side of that point—his. In this case, his point was the same one that he had been making all along—that decisions of the Supreme Court endangered the nation's stability. But he also said, "I want to get the other side of it and see what can be presented in opposition to these bills. I want to get the most forceful arguments that can be made against them in this record." To accomplish this, he invited fifty-odd witnesses to testify, only half a dozen of whom opposed his viewpoint, and he inserted in the record scores of letters, editorials, and statements favorable to his position, with only a handful opposed. Not one of the witnesses and correspondents was a criminologist, a leading professor of law, or an expert on the Constitution. Instead, most of them were police officers and prosecutors, with a few judges who agreed with McClellan thrown in.

To keep his viewpoint sharply in focus, McClellan relied on repeated use of several currently popular phrases—chiefly, that members of the Supreme Court and others in high places, by "coddling criminals" and "handcuffing the police," had dispatched "the depraved to roam the streets at will" and

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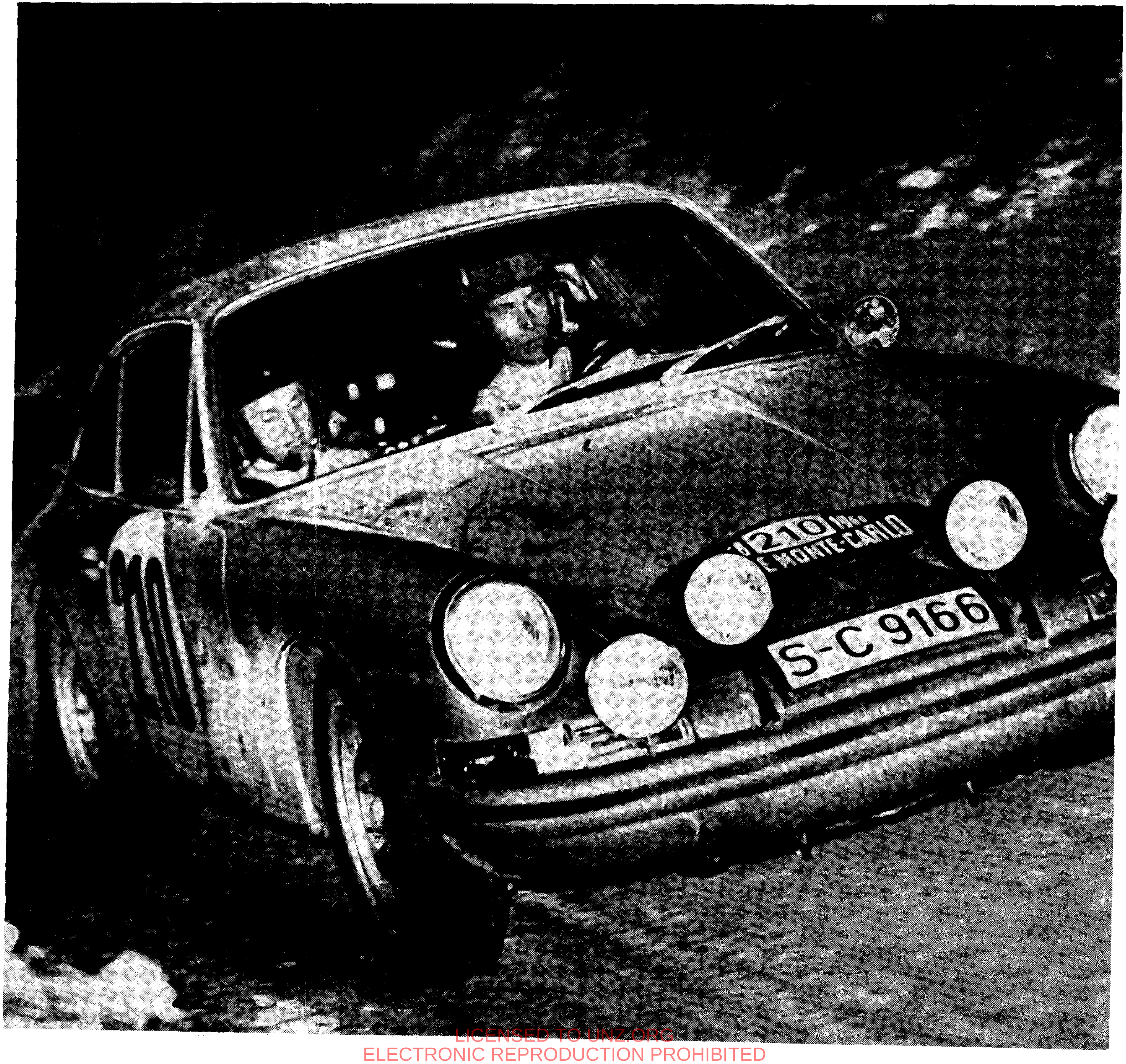

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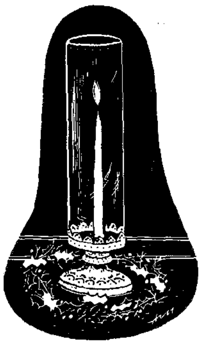
"prey on the innocent." No one seems to know for sure where these phrases originated, but it would appear that they gained currency through constant reiteration by police officials and prosecutors who were bewildered and angered by the way the Court kept changing the rules in the middle of the game. In time, the clichés began to appear in newspapers and on television—usually in interviews with police officers and prosecutors who were under pressure to explain why they were not dealing more effectively with crime—and then were taken up and pushed by right-wing spokesmen as part of their general attack on "the Warren Court." With increasing frequency, the phrases began to pop up in letters written to members of Congress, until today a perusal of the mail that any of them receives reveals that nine-tenths of the voters who complain about "crime in the streets" complain in these terms. Those who are fond of the sound of the words apparently do not stop to ask what they mean, for one would be hard put to it to explain why a justice of the Supreme Court or any other high government official would want to be unduly lenient with those who despoil society or unduly harsh with those who protect it. In any event, it is increasingly clear that such clichés can have a monumental effect on the political life of the nation. Their repetition thousands of times a day has brought a great many people to the point where they seriously doubt that the government's interest is the same as their own.

McClellan's charge that the Miranda decision had released criminals who had confessed their guilt was true, but not in the way he made it appear. Sometimes by implication, but more often directly, he charged that the ruling had opened the doors of the nation's penitentiaries and let loose hordes of vicious criminals simply because they had confessed to what he called "heneous" crimes without benefit of counsel. Actually, a week after handing down the Miranda decision, the Supreme Court, in the case of Johnson v. New Jersey, ruled that Miranda applied only to cases tried after June 13, 1966, the date of the Miranda decision. In terms of retroactivity, this involved only cases in which the prosecution might still be intending to submit arraigned but untried defendants' confessions in court. But even this limited form of retroactivity gave opponents of the Court a basis for attack that the public could easily grasp and would inevitably resent. By far the most widely publicized example in this category involved a man in Brooklyn who had confessed to murdering his common-law wife and her five children. Because the state's case was largely based on his confession, which had been obtained without the presence of a lawyer, and because he had not been tried before June 13, 1966, the court was obliged to release him. "I say it is a sad commentary on our system of justice when a man can murder his wife and five little children, and admit it, and then be turned loose on a technicality because somebody didn't tell him he was entitled to a lawyer," McClellan said at the hearings. "I think it is tragic."

Senator Hart, who approved of the Miranda decision but had doubts about its retroactive extension, agreed. "It *is* tragic," he said. But he went on to point out that while Johnson v. New Jersey had created a number of regrettable situations because the police were held to a standard that they hadn't known about at the time they made arrests, it applied only to a limited number of cases—far more limited than McClellan constantly suggested—and that once they were disposed of there would be no confusion about the rules as they were applied to arrests made after June 13, 1966. As for legal technicalities, he told McClellan, "it is a technicality that you couldn't use a rack," and he added that "these are all technicalities intended to protect substantive rights." McClellan ignored the point and continued to hammer away at the use of technicalities to release "self-confessed murderers and rapists." Finally, Hart reminded him that the entire Bill of Rights was nothing but technicalities. It was not the rules that were at fault, he said, but, rather, those who failed to observe them.



Another matter that McClellan dwelt on at length was that criminals who had been let off on such technicalities often took the first opportunity to commit another crime—as happened with both Danny Escobedo, who was subsequently convicted of possessing and selling heroin and sentenced to twenty-two years in prison, and Andrew R. Mallory, who was subsequently convicted of burglary and aggravated assault and sentenced to eleven and a half to twenty-three years in

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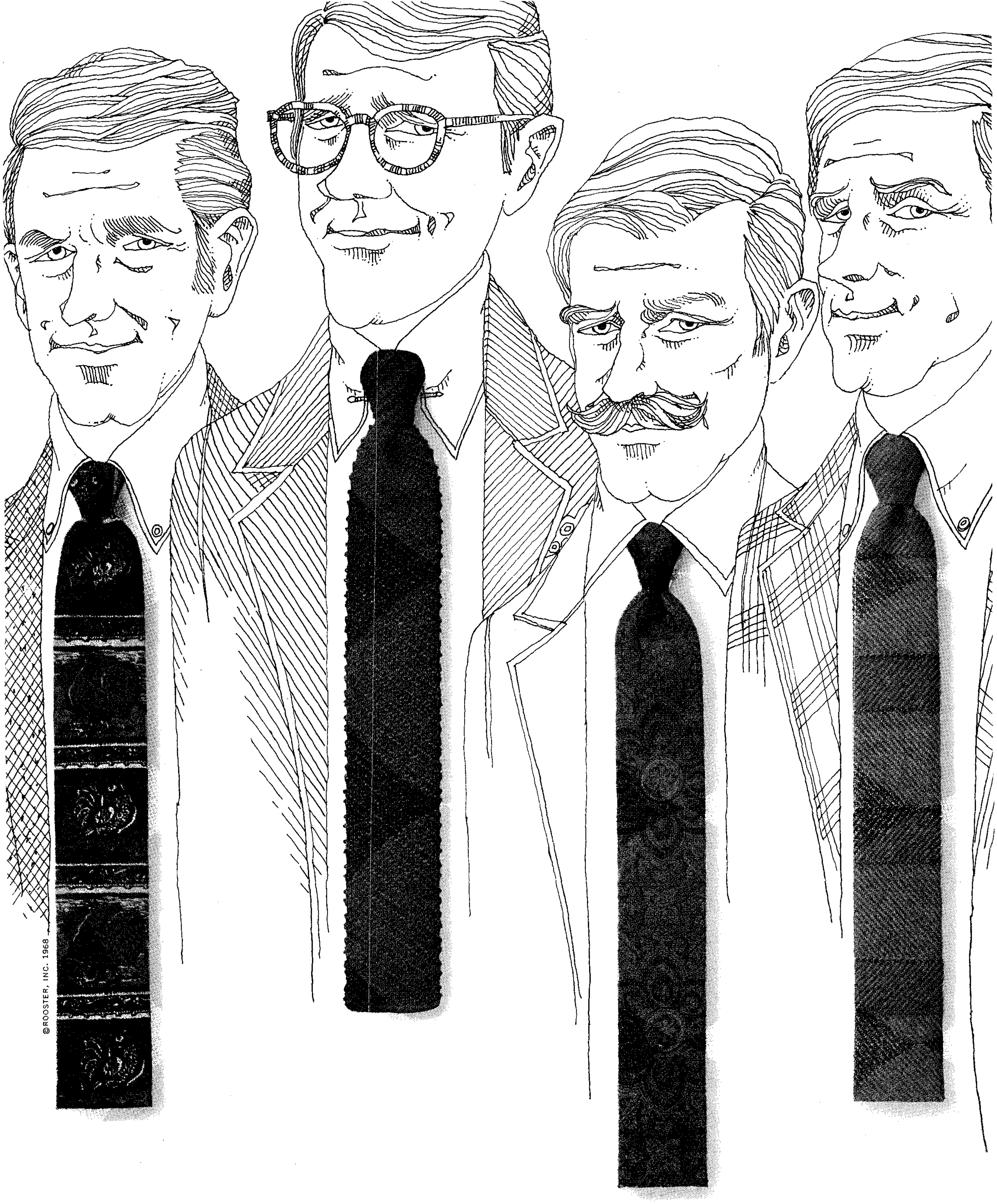

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From an uncommonly diverse and spirited collection. $3 and $4. At very good stores. rooster prison. McClellan did not dwell at all on the later history of Ernesto Miranda, who was retried on the original kidnapping and rape charges, this time without the use of his confession, again found guilty, and sent back to prison to serve out the same sentence that he had received the first time. One of McClellan's witnesses, Judge Laurence T. Wren, of the Superior Court of Arizona, who presided at Miranda's second trial, testified at some length during the hearings. After recounting how he had heard Miranda confess again—during a court interrogation while the jury was excluded—the Judge turned to the matter of the jury's verdict of guilty and said of it, "This was unfortunate, because it lends credence to the Supreme Court's statement that without the confession to police there was still adequate evidence." Even McClellan's supporters had not expected to hear a judge express regret that a guilty man had not gone free, since his release would have embarrassed the Supreme Court.

The most prominent of the policemen who felt that they had been handcuffed by the Court and who appeared at the hearings to talk about it was Quinn Tamm, executive director of the International Association of Chiefs of Police. "I am of the firm opinion that the majority of the decent people of this country have had about enough of a judicial system which allows criminals to roam the streets and commit vicious, depraved acts time after time after time," he said. "I believe our citizens are fully aware of the situation, and I predict that if there is not a turning point reached soon toward more realistic Supreme Court decisions, we are going to witness one of the greatest surges of outraged citizenship that we have ever seen." Tamm went on to advise President Johnson on how he should fill the Court vacancy soon to be created by Justice Tom Clark's retirement—with a conservative, Tamm said, in order that the Court might be kept from becoming "even more one-sided in its interpretive philosophies." To demonstrate the widespread support for his views among the sixty-five hundred members of his association, he had earlier informed them of McClellan's efforts and urged them to write the Senator to express their support. Dozens of them did, and McClellan dutifully put their letters in the record—apparently unread, for though all of them were meant to buttress his position, some inadvertently kicked out the props. One

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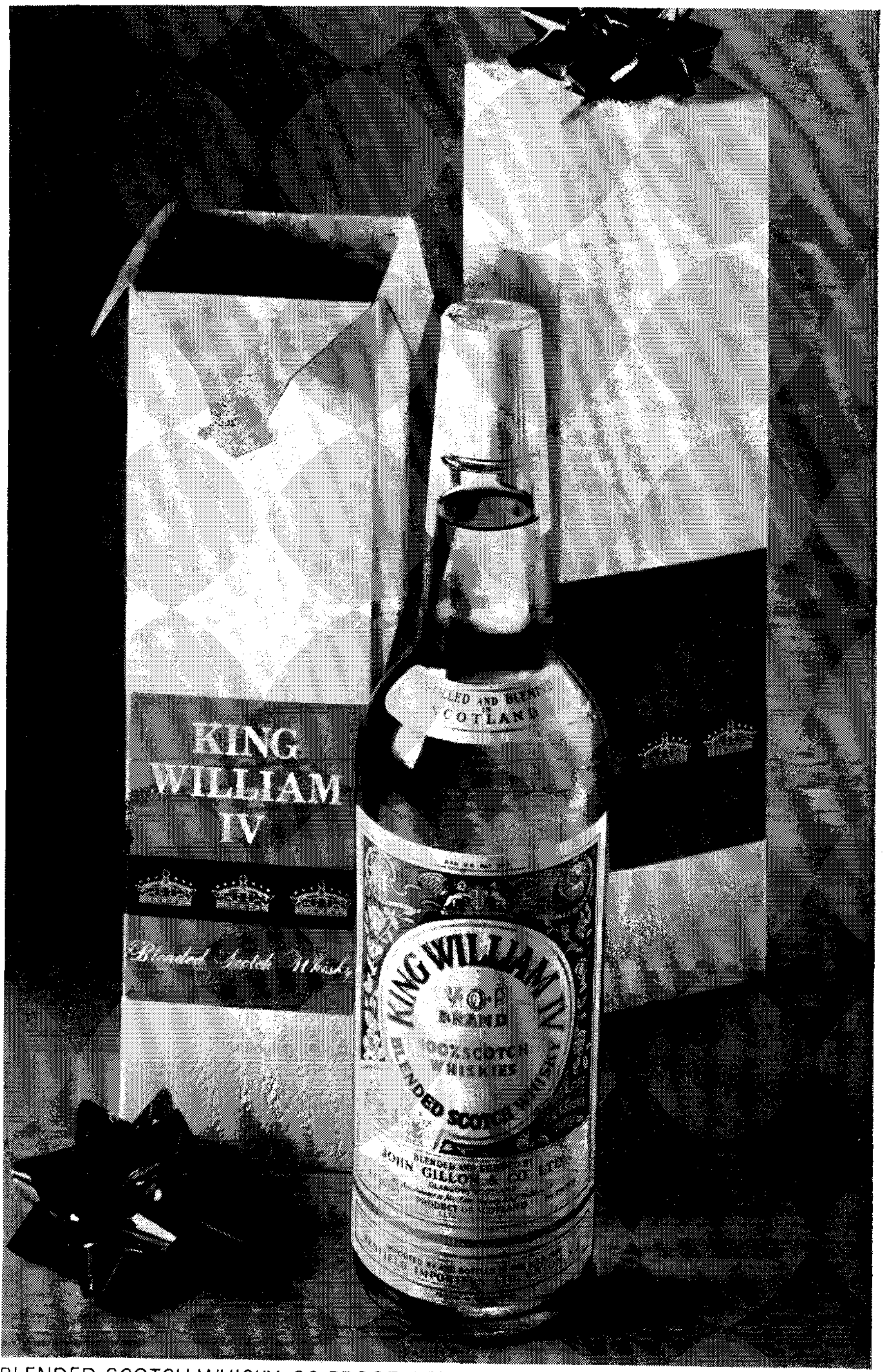

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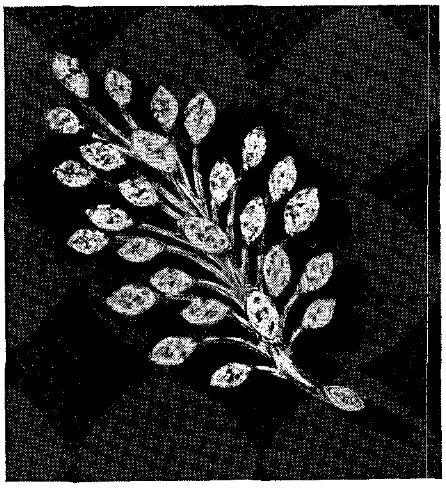

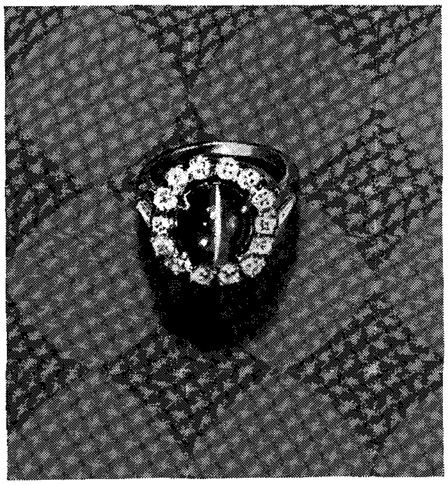

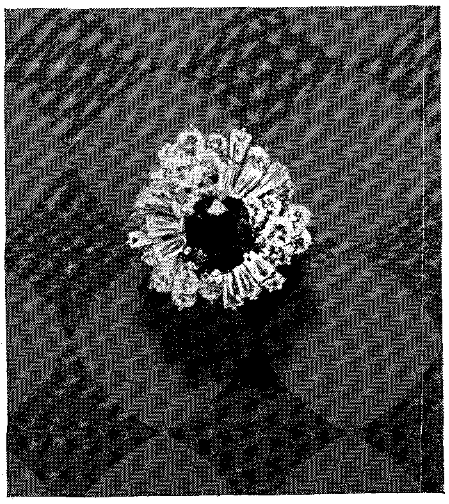

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letter, from the chief of police in an Oregon town called The Dalles, stated, "We had two murders the latter part of 1966 and were successful in getting convictions only because our District Attorney is insistent that all cases be handled with the proper preliminary warnings and chances to call an attorney." A fair number of the other letters revealed that their authors thought the Court had outlawed the use of confessions in trials altogether, and still others thought that it had forbidden even their expression unless a lawyer was by a suspect's side. "This era reveals that a person is not allowed to unburden his troubles or cleanse his soul and conscience without being accompanied by a lawyer," the chief of police of Southampton, Pennsylvania, wrote, and added that this clearly violated the right of free speech. Of course, nothing in the Miranda ruling prevented a suspect who was offered legal counsel from refusing it—and many suspects did—or from ignoring a lawyer's advice to remain silent and confessing to his heart's content. There was no record of how many policemen around the country had shared this sort of misunderstanding and let chargeable offenders go.

One of the few law-enforcement officials who expressly disagreed with McClellan and Tamm was Ray Girardin, the police commissioner of Detroit. McClellan pressed him to concede that the Miranda case had hurt the efforts of his department, but Girardin stated—and repeated as he was pressed—that he didn't know of a single case that had been affected by it. "I certainly don't have the impression that we have a revolving door at police headquarters," he said. Although the country's district attorneys were generally as strong in praise of McClellan's work as the policemen were, again there were a few dissenters. For example, Evelle J. Younger, the district attorney of Los Angeles County, who was unable to attend the hearings but sent in a memorandum, reported that his department had conducted a study after the Miranda ruling was handed down and that, aside from the problems presented by its retroactive nature, "insofar as we are able to observe from the prosecutors' viewpoint, this decision has not materially affected our ability to convict." Michael Dillon, the district attorney of Erie County, New York, which includes Buffalo and contains more than a million people, told the subcommittee that he was familiar with Younger's study and that he agreed with its conclusions. This led

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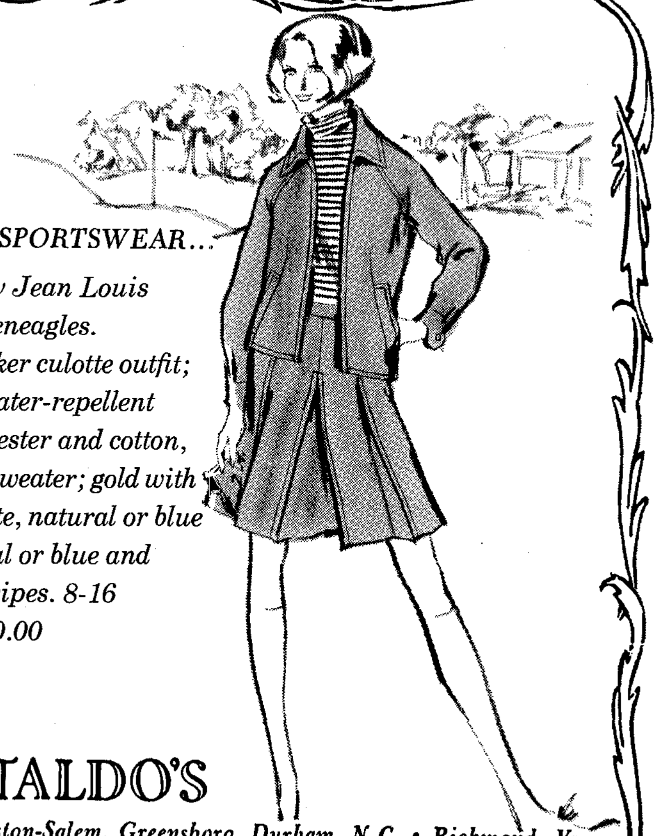
to a deep scowl on McClellan's part and the following exchange:

Senator McClellan: Let me ask you, do you think the Miranda decision strengthens law enforcement in this country?

Mr. Dillon: I think the Miranda decision, Senator, represents a balance between the interests of law enforcement and the rights of individuals. Senator, all people in our society are not as fortunate as you or as I am fortunate. My experience is that we hold people sometimes in jail, young people in jail, for days at a time with a complete lack of concern of the parents, if they do live in homes where parents live together, a complete lack of concern in many instances on the part of the community or other agencies as to where these young people are or what they are doing.... This would not happen, Senator, if others in the more affluent society were arrested under similar circumstances. There would be a lawyer there immediately, there would be a brother or a sister or a mother or a father there immediately.... So I find no objection, Senator, with telling those who have engaged in criminal activities that anything they say may be used against them, because others in our society know that. I have no quarrel with telling them that they have a right to remain silent, because others more affluent in our society already know that. Nor do I find any quarrel with telling them that they have a right to an attorney, and that if they cannot afford an attorney, one will be provided for them. Therefore, I do not quarrel with the Miranda decision.

Dillon also agreed with Younger that "many of these seemingly restrictive decisions" of the Supreme Court would "contribute directly to a more effective, efficient, and professional level of law enforcement" by compelling the police to develop and use sharper skills. Commissioner Girardin had made the same point, and so did Lawrence Speiser, the spokesman for the American Civil Liberties Union, who was allowed to testify on the last day of the hearings. "Recent rulings on confessions have not so much restricted police procedure as they have improved it," he told the subcommittee. "Knowing their procedures will be closely scrutinized in court, police are doing a more thorough job of investigation, relying on careful research rather than tainted or questionable confessions or searches. As watchman over police practices, the Court is fulfilling an historic role."

Time and again during the hearings, Senator McClellan raised the issue of the damage being done to the morale of the police when the Court undid their work. Dillon, for one, was in full agreement that this had "a tremendously adverse impact." For a moment, McClellan brightened, but then he lapsed back into his customary dour at-



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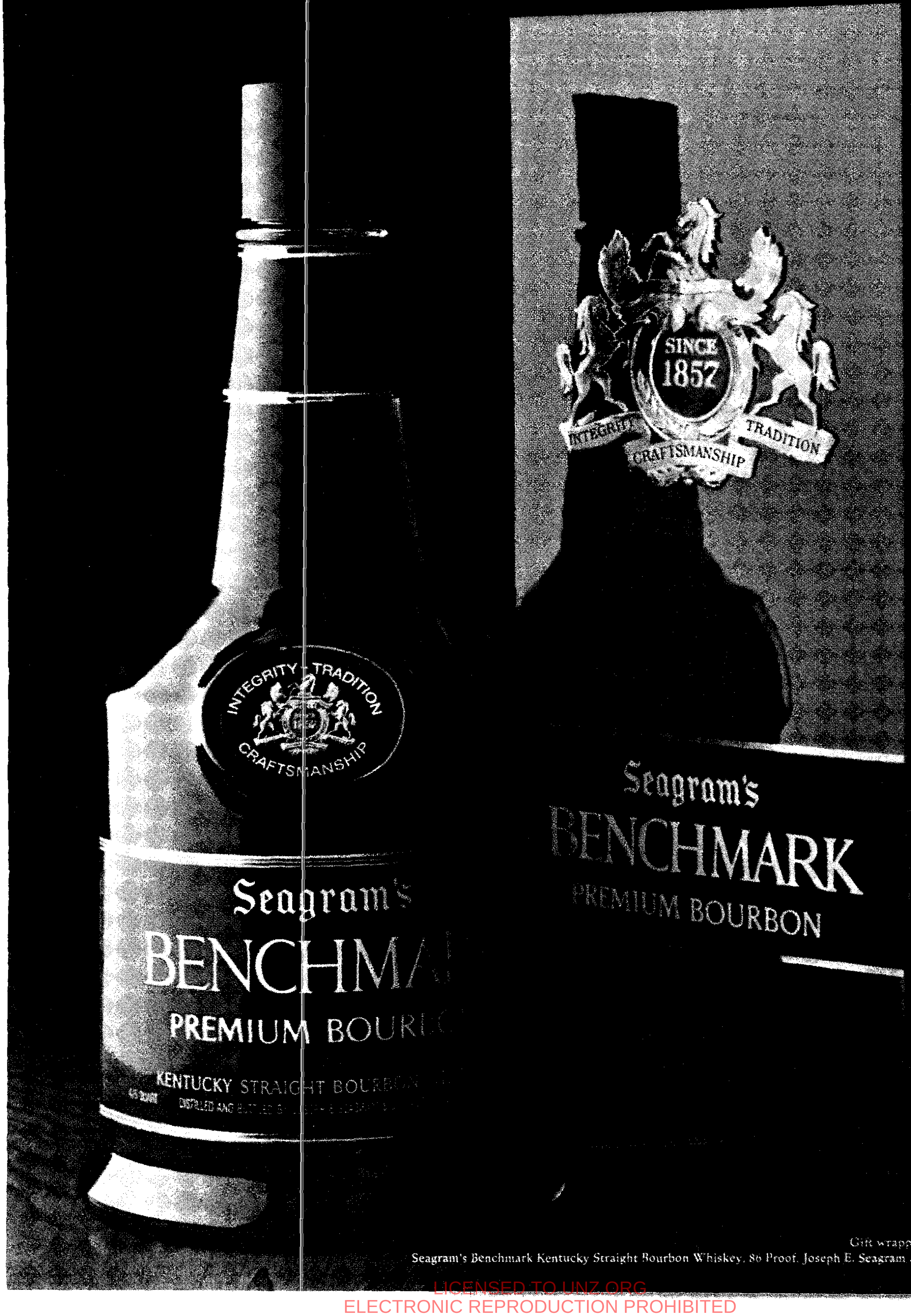
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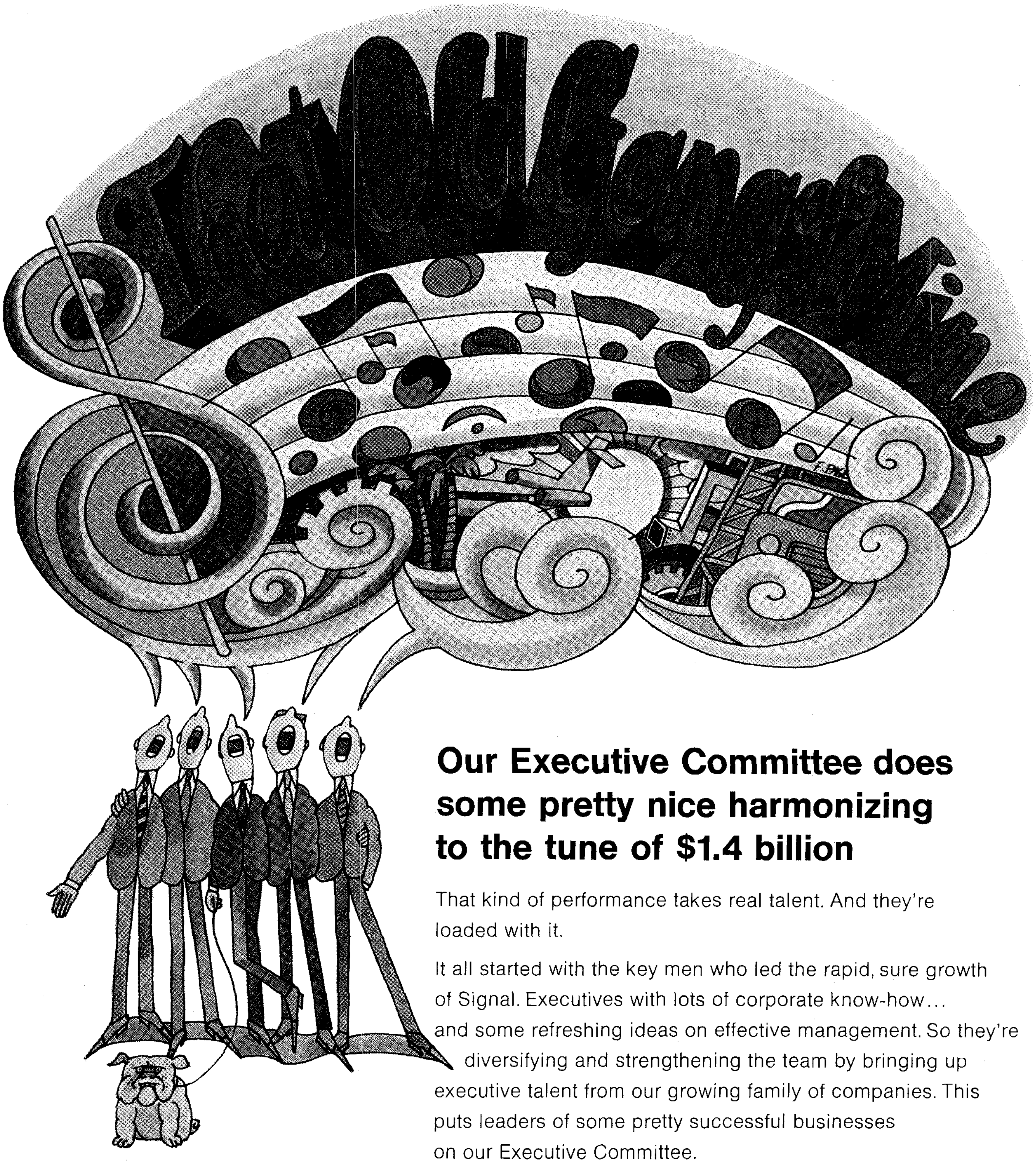
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titude as Dillon went on to say that police morale would finally be raised only by better training, more advanced equipment, and higher pay, and added that once these improvements were made the police would be able to function effectively and contentedly within the new rules. But McClellan stuck to his argument that the rules imposed too much of a burden on the police, who were trying diligently and fairly to carry out their duties. Finally, Senator Hart, an unfailingly polite man, broke in:

> Some of these decisions cause a lot of trouble, and it is the kind of trouble that no police state ever suffers from. The people of this country react with abhorrence when they read of people who have to live in a country where they knock on the door in the middle of the night, take the man away, not to a magistrate but to some jail. We like to think, Isn't it nice that we don't do things like that? Let's be sure that we don't begin to move in that direction by overreaction. The right to keep quiet, that is the right of the poor man as well as the rich fellow, and the right to a lawyer and to a phone booth at least to get the lawyer right away, that is everybody's right. To be told promptly on arraignment of what it is that you are charged with, that is a right. And none of these are new rights. There is nothing new about this. What I sense may be new is a series of decisions by which the Court seeks to insure that those rights which wealthy Americans have always enjoyed will be extended to all Americans.

That was the long form of the more or less standard reply that Hart was to make again and again in the campaign against the anti-Court bill. When he didn't have time, he used a short form: "The Bill of Rights was not written to make things easier for the police."

McClellan was less interested in the substance of Hart's reasoning than in its implication. "I fail to see where we were moving toward a police state in this country prior to these decisions," he said testily. Later, he went out of his way to make it clear that he considered himself the guardian against a police state, not its promoter, and hinted darkly at what the opposition would do to him if it could—as, for example, in a colloquy with one of his admirers, Aaron Koota, then the district attorney of Brooklyn and now a judge on the New York State Supreme Court:

> SENATOR MCCLELLAN: Has it occurred to you, if I may interrupt, that those who today disagree with the President, and the Commander-in-Chief, as to the conduct of the war assert the right to dissent?
>
> MR. KOOTA: Precisely.
>
> SENATOR MCCLELLAN: I wonder if

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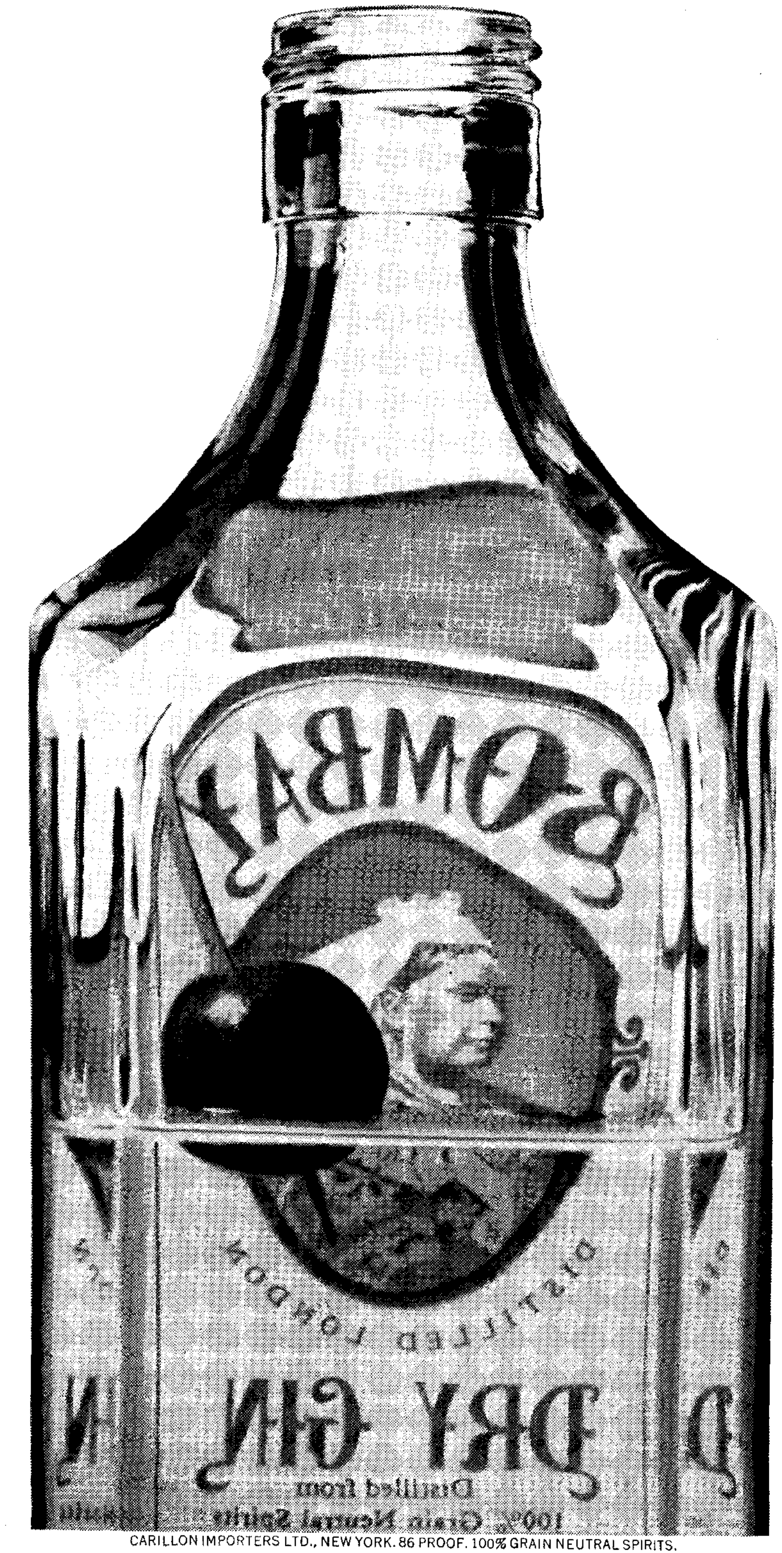

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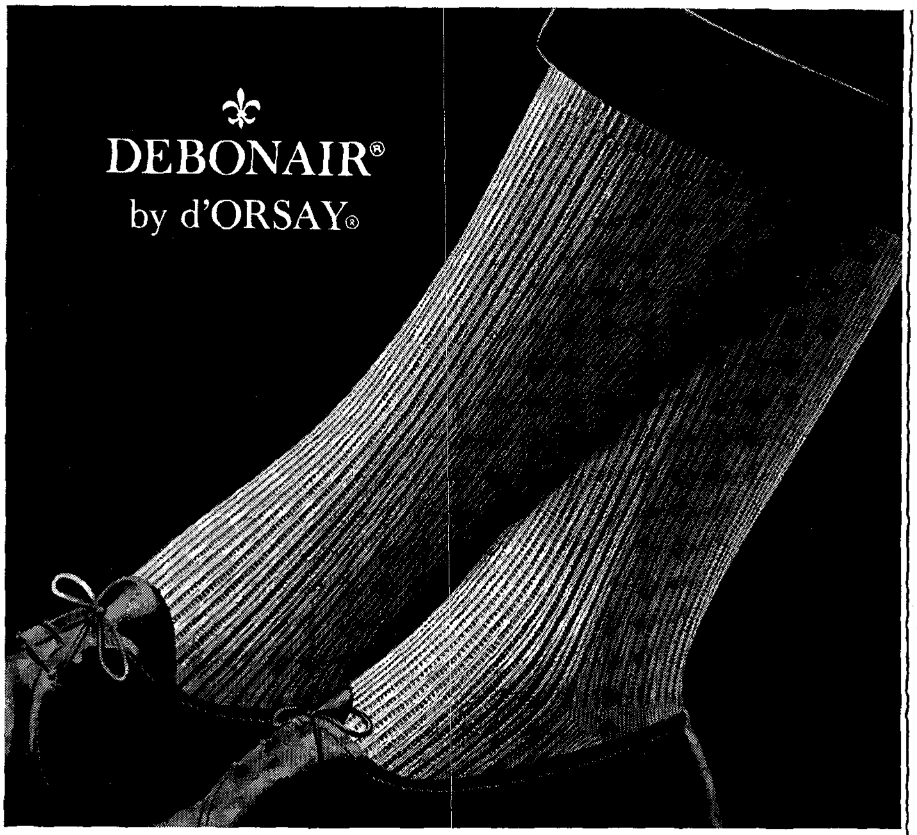
some of them will accord to us the right to dissent and make our position known with respect to some things that are happening to this country from within.

Mr. Koota: I am very dubious about that, Mr. Chairman.

Senator McClellan: I wonder.

Mr. Koota: I wonder.

Other witnesses needed no prompting from the Chairman. "I enthusiastically approve of Senate Bill 674," Judge Michael A. Musmanno, of the Pennsylvania Supreme Court, told the subcommittee, and proved it by devoting most of his testimony to metaphorical attacks on the Miranda decision. For the first ten or fifteen minutes, they were medical. The Court's "prescription," he said, did not "coincide with the nature of the malignant disease, and, in consequence, many cancerous criminals and pestilential psychopaths are stalking the streets of the nation, polluting the communities through which they move," because the police "failed to administer . . . the paregoric prescribed in Miranda." Moving on to belabor the decision in soothsaying, nautical, acrobatic, and architectural terms, Musmanno finally reached the high point of his brief against the Court when he sought to illustrate the dangers of the Miranda ruling by applying it to Patrolman J. D. Tippit as he confronted Lee Harvey Oswald after the assassination of President Kennedy. His voice quivering with emotion, Musmanno declaimed, "Imagine that policeman saying, if he could talk to Oswald, 'Before you speak, I want you to know that you can have an attorney. Before you speak, or I can listen to you, I want you to know that if you don't have an attorney, we must get you one and we dare not question you.' This man, armed with a pistol and rifle and heaven knows what other weapons. That is what the Miranda case would have provided for in that disgraceful, shameful page of our history." Of course, it would have provided for nothing of the sort. Nothing in the decision would have prevented Tippit from taking whatever steps were necessary to protect himself, or from taking the suspect into custody. Nothing would have prevented Oswald from talking endlessly to Tippit. Nothing would have prevented Tippit from listening to Oswald and hearing his confession, except that it could not be used in evidence unless the proper warning had been given or, after it was given, Oswald decided to repeat his confession. Otherwise, of course, any criminal could avoid standing trial simply by blurting out a confession be-



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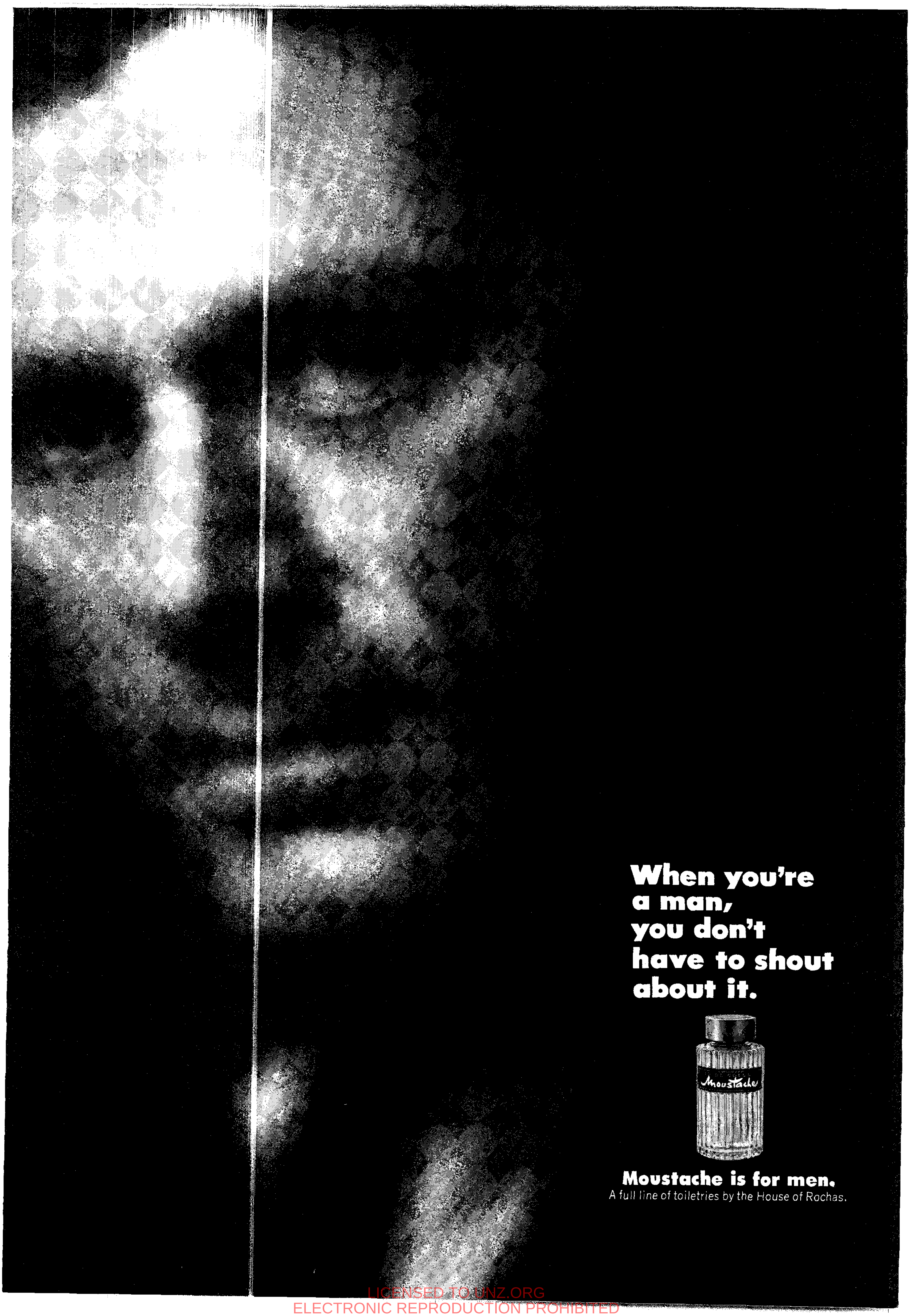
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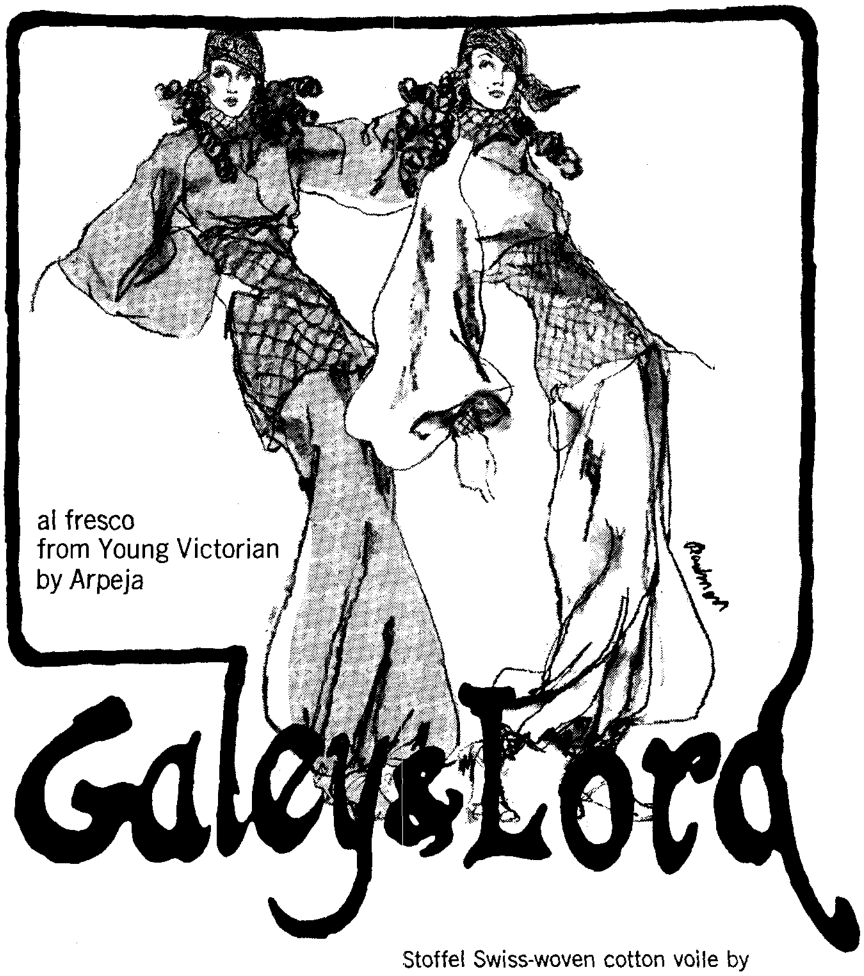
fore the police had a chance to warn him. Even Senator McClellan looked somewhat embarrassed as Judge Musmanno completed his testimony.

One issue raised repeatedly at the hearings concerned the effect of Miranda on the willingness of suspects to confess. District Attorney Koota, for instance, testified that in his jurisdiction around ten per cent of all suspects held in serious felonies had refused to make statements in the days before the Miranda rule, whereas afterward the percentage rose to forty-one. Across the river in Manhattan, District Attorney Frank S. Hogan reported that prior to the Miranda rule fifty-one per cent of defendants in all felony cases except homicide had refused to confess, whereas in the six months after it eighty-five per cent of them had refused. Arlen Specter, district attorney of Philadelphia, said that before Miranda less than thirty-two per cent of all suspects arrested in that city had refused to give statements to the police, and that afterward fifty-nine per cent of them had refused. Putting aside the discrepancies and concentrating instead on the common decline in the number of statements, McClellan devoted a substantial part of the testimony that he took—better than twelve hundred pages before it was all over—to showing that fewer suspects admitted their guilt after Miranda than did before. Of course, this was just what the Supreme Court had intended, for if those who were already informed about their rights used them, those who became informed could be expected to use them, too. If the exercise of civil liberties weakened the police, McClellan's opponents stated, the solution was more skillful investigation, not dubious interrogation.

Although it was frequently alleged that the police had been hampered by Miranda, the decision clearly had no effect whatever on their dealings with several classes of criminals. "A hardened criminal never told us anything anyway," Commissioner Girardin explained, and he went on to say that this was true even of youngsters. "We have rapists at fourteen, stickup men with a gun at the same age," he said. "They won't tell us anything, and they haven't for many years." Neither would members of crime syndicates like the Cosa Nostra, he and other law-enforcement officials testified. McClellan was particularly fond of making this point himself, and of leading witnesses to make it for him, even though it demonstrated that he hoped through his bill to prevent the only people left



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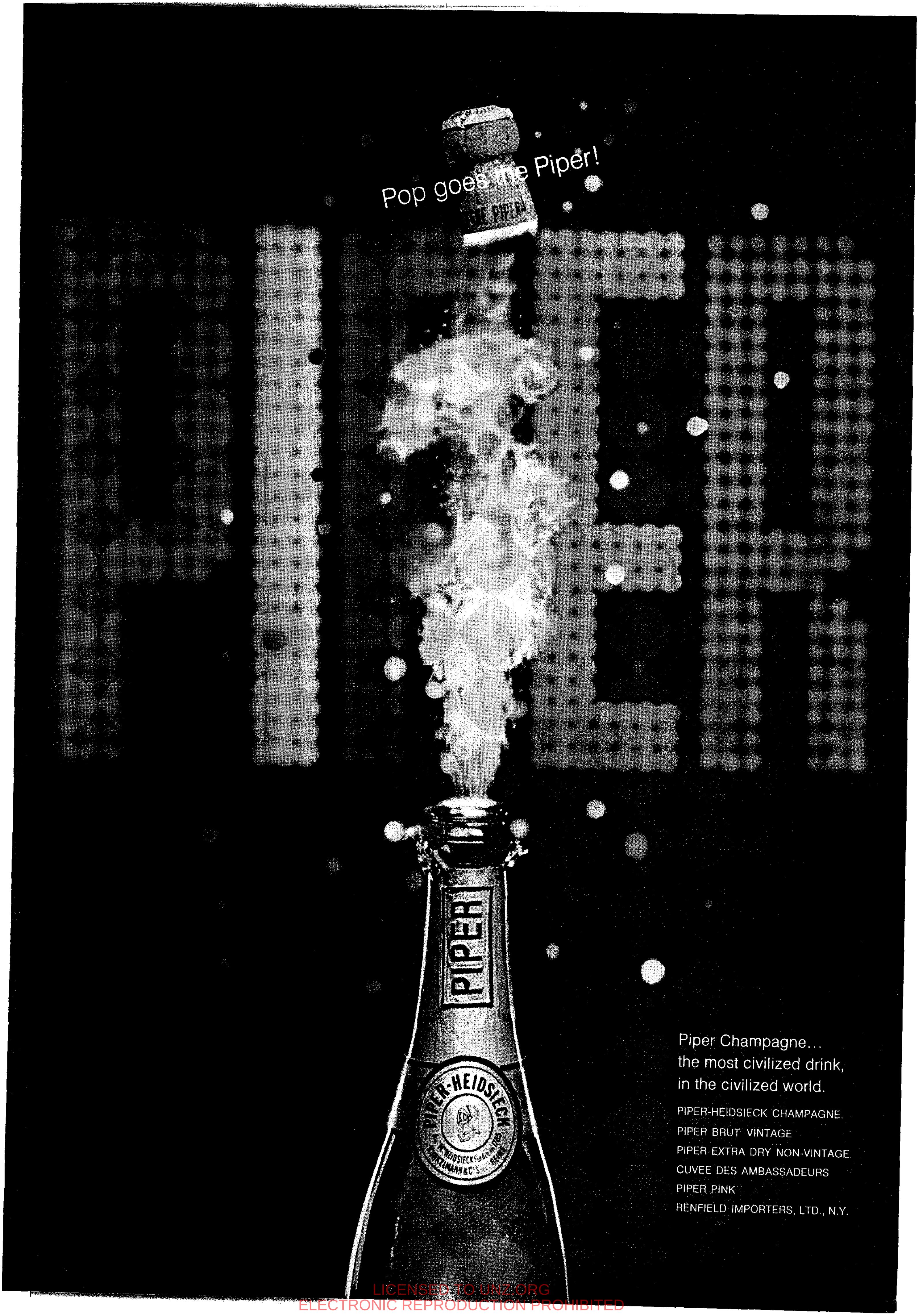
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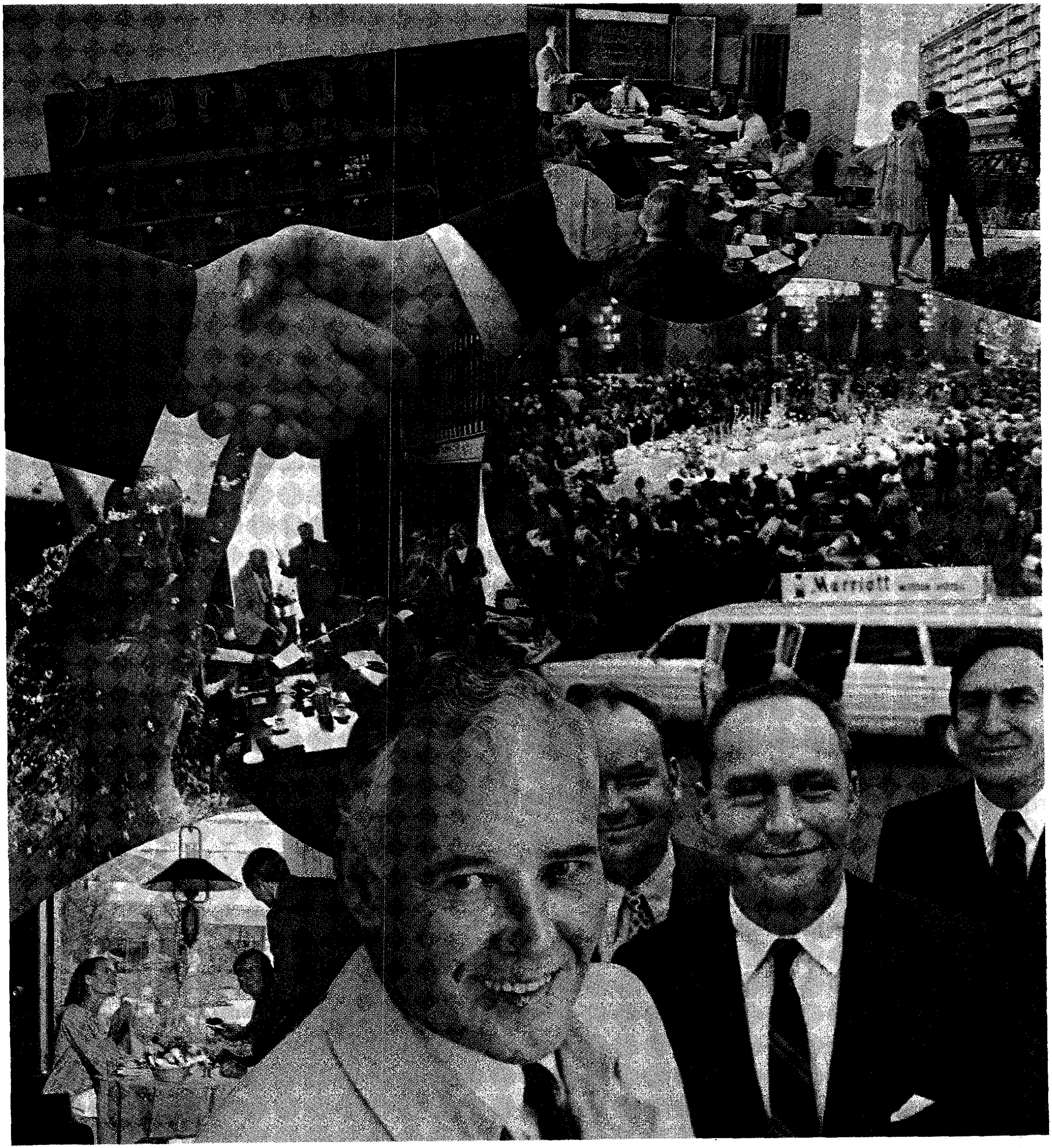

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who didn't know their rights—the *ignorant, the poor, the unwary*—from learning them.

THOSE who believed that there was a conspiracy in the Senate to enact a piece of obviously un-Constitutional legislation that the Supreme Court might knock down, and thereby create what one senator called "the dismal prospect of yet another self-defeating round of police frustration and public dissatisfaction with the courts," soon concluded that a second bill introduced by McClellan and discussed in the hearings was directed to the same purpose. This measure, which he submitted the day after S. 674 was submitted, dealt with the interception of communications by means of electrical (wiretapping) and electronic (bugging) devices. It was generally agreed that some sort of legislation was overdue, for as matters stood there was a clutter of conflicting laws on the subject—private wiretapping and bugging constituted felonies in seven states, for example, but were not even crimes in forty-three states—and neither Congress nor the Supreme Court had done much to put things in order. The sole federal statute governing wiretapping was the Federal Communications Act of 1934, Section 605 of which stated that "no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person." The law appeared to be rigorously strict, but law-enforcement officials around the country had quickly realized that while it prohibited anyone from divulging what he had learned by way of a wiretap, it said nothing about his learning it. In other words, it seemed to be all right to use wiretaps to uncover leads as long as the information obtained wasn't revealed in court. (Ultimately, of course, many prosecutors succumbed to the temptation to use the information in court while concealing its source.)

The Supreme Court's first word on the subject came in 1928, when it ruled that intercepting telephone messages and using them as evidence did not constitute an unreasonable search and seizure, forbidden under the Fourth Amendment, since there was no trespass into Constitutionally protected areas and no seizure of anything tangible. In opinions handed down over the years, the Court ruled, variously, that evidence and even leads (called "tainted fruits of the

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forbidden tree") obtained by way of wiretapping were inadmissible in federal courts; that the restriction applied to intrastate as well as interstate calls as long as the carrier's over-all operations crossed a state line; that only a party to a tapped conversation could object to its use as evidence; that a third party could listen to a telephone conversation with the permission of one of the parties to it; and that state officials could divulge evidence gained by wiretapping in state but not federal courts. When the Court got around to bugging, it ruled—again in a number of different cases—that the process was un-Constitutional if it amounted to an unauthorized physical invasion of the defendant's property or the premises he occupied temporarily (a sensitive microphone placed on the outside of the wall of a hotel room occupied by a suspect was all right, but a "spike mike" inserted in a heating duct inside a suspect's house was not); that a police informer could be wired for sound that would be transmitted to police officers located elsewhere; that a federal agent could use a tape recorder concealed on his person while talking with a suspect who knew that he was an agent but did not know that he was bugged; and, in a decision delivered shortly before McClellan introduced his bill, that conversations did come under the prohibition against unreasonable search and seizure after all, and were governed by the same restrictions that applied to search warrants, which involved giving a judge a specific description of the crime that had been or was being committed and a specific description of the evidence that would prove it.

In his State of the Union Message delivered before a joint session of Congress on January 10, 1967, President Johnson had said, "We should protect what Justice Brandeis called the 'right most valued by civilized men'—the right to privacy. We should outlaw all wiretapping—public and private—wherever and whenever it occurs, except when the security of this nation itself is at stake, and only then with the strictest governmental safeguards." On February 8th, an Administration bill to accomplish this was introduced in the Senate by Edward V. Long, Democrat of Missouri, who had already conducted lengthy hearings on the subject in his Subcommittee on Administrative Practice and Procedure and who intended to hold a good many more. The Administration's bill—numbered S. 928 and called the Right of Privacy Act—was co-sponsored by twenty-two senators. This

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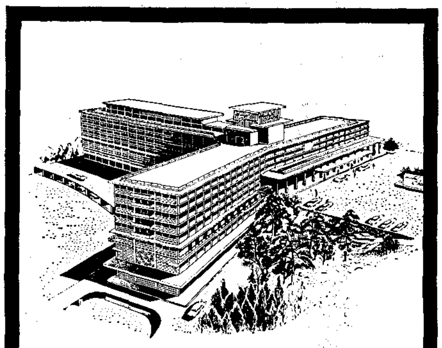

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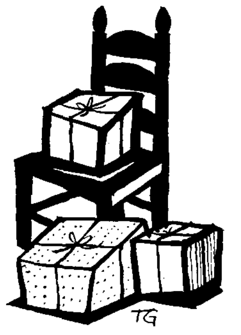
time, McClellan was not among them. As he saw it, the bill was another piece of legislative mollycoddling, and he refused to have anything to do with it. Instead, he pressed for passage of his own measure, S. 675, which he introduced on January 25th. Like the Administration's bill, S. 675 prohibited private tapping and bugging, regulated the manufacture and distribution of devices by which tapping and bugging could be accomplished, and permitted the President to use either form of surveillance to safeguard the security of the nation against foreign enemies. But, unlike the Administration's bill, S. 675 also gave the President the authority "to take such measures as he deems necessary to protect the United States against the overthrow of the government by force or other unlawful means, or against any other clear and present danger to the structure or existence of the government." Finally, the bill allowed any federal Assistant Attorney General (with the approval of the Attorney General and a federal judge) or any state attorney general or local district attorney (with the approval of a judge in his jurisdiction) to tap a telephone or plant a bug if there was reason to believe that it would produce evidence about any crime punishable by a year in prison which had been committed, was being committed, or was about to be committed. Officials could listen in on any conversation on a suspect's telephone or premises for up to forty-five days, and could get twenty-day renewals indefinitely as long as a judge approved.



Once again, policemen and prosecutors appeared at the hearings to speak out for McClellan's bill, which would regulate, and in effect greatly expand, the use of wiretapping and bugging. Orlando W. Wilson, former superintendent of police in Chicago, stated that "organized crime poses a greater threat to the American way of life than even Communism," which no one disagreed with, and claimed that "we will make no substantial inroads against organized crime without the use of electronic surveillance," which several people disagreed with. One of them, Commissioner Girardin, said he didn't see that electronic surveillance would do much good. "I can conceive of it working [with] the unwary," he explained. "But criminals certainly are sophisticated enough, I believe, not to discuss their nefarious acts over the telephone." If they weren't that sophisticated, others remarked, they would become so very soon after a bill like S. 675 was enacted, leaving the police with a great deal of equipment and no one to listen in on except perhaps some personal or political enemies and, when that palled, on anyone whose activities sounded interesting. For this reason, Girardin expressed grave fears about "wiretapping unless it is very, very carefully controlled." When asked why he felt this way, he replied, "Because in my experience people have become overzealous in the use of wiretaps—legally or illegally—and this invasion, I think, is a very dangerous situation."

Frank Hogan, the chief spokesman for big-city district attorneys, again supported McClellan's approach, on the ground that tapping and bugging constituted "the single most valuable and effective weapon in the arsenal of law enforcement." To support this contention, he stated that without it there would have been no way of convicting such underworld figures as Lucky Luciano, Lepke Buchalter, Socks Lanza, Johnny Dio, and Frank Carbo. Wiretapping had been legal in New York State since 1938 and bugging since 1958 ("pursuant to court order and under proper safeguards," Hogan said), and over those respective periods an average of only sixty-six wiretaps and nineteen bugs had been installed each year, with court permission, in Manhattan. Hogan cited the Crime Commission's support of tapping and bugging in organized-crime cases, but he did not mention that the Commission had called for far stricter safeguards than S. 675 contained. Attorney General Ramsey Clark found even the Crime Commission's guarded approach insupportable. "Public safety will not be found in wiretapping," he said. "Security is to be found in excellence in law enforcement, in courts, and in corrections. . . . Nothing so mocks privacy as the wiretap and electronic surveillance. They are incompatible with a free society." Going on to say that "only the most urgent need can justify" such intrusions, he charged that people like Hogan had failed to make a case, "much less meet the heavy burden of proof our values require," and demanded, "Where is the evidence that this is an efficient police technique?"

Clark reluctantly expressed support of the provision that the President be given the authority to order wiretap-

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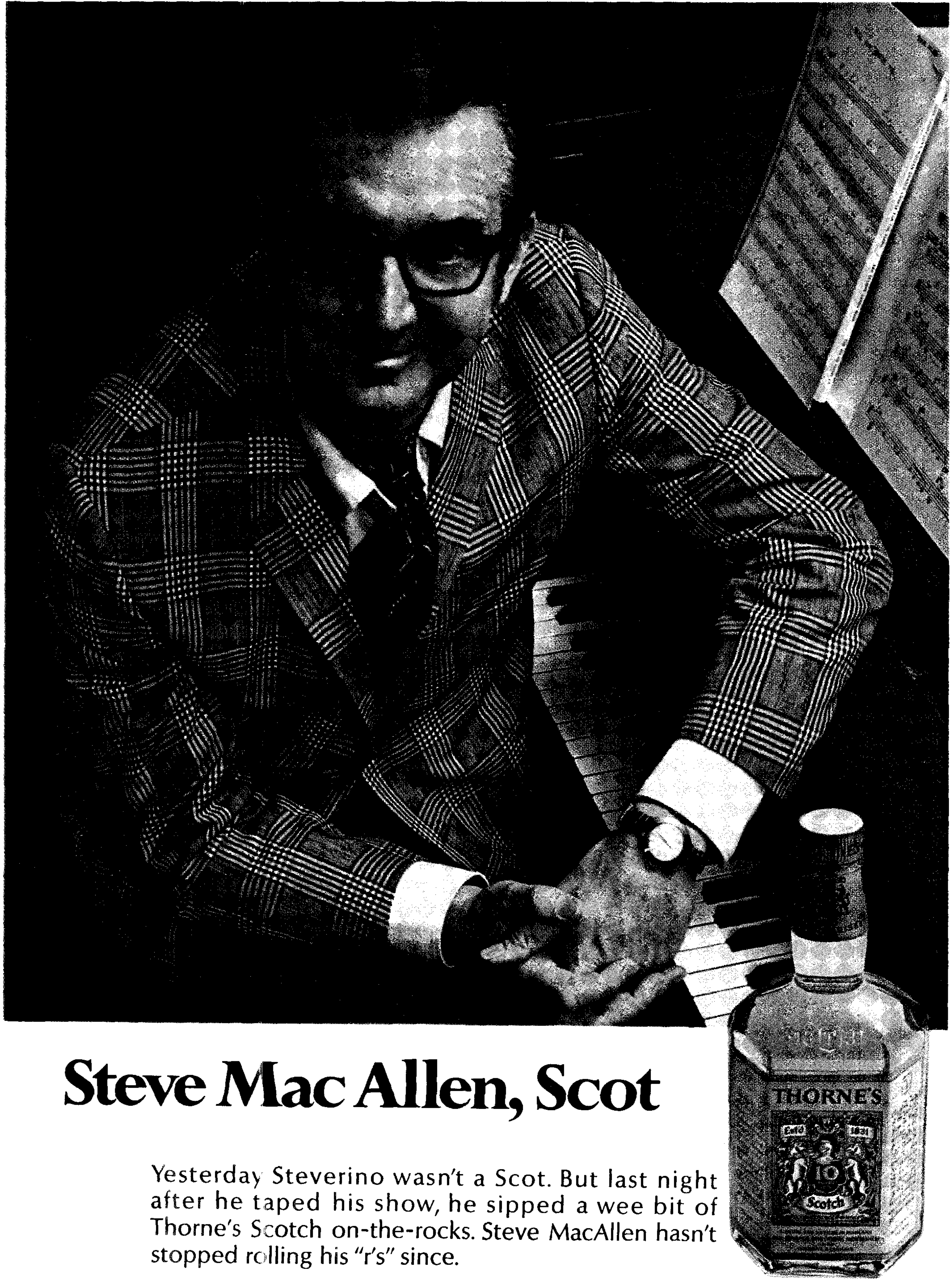

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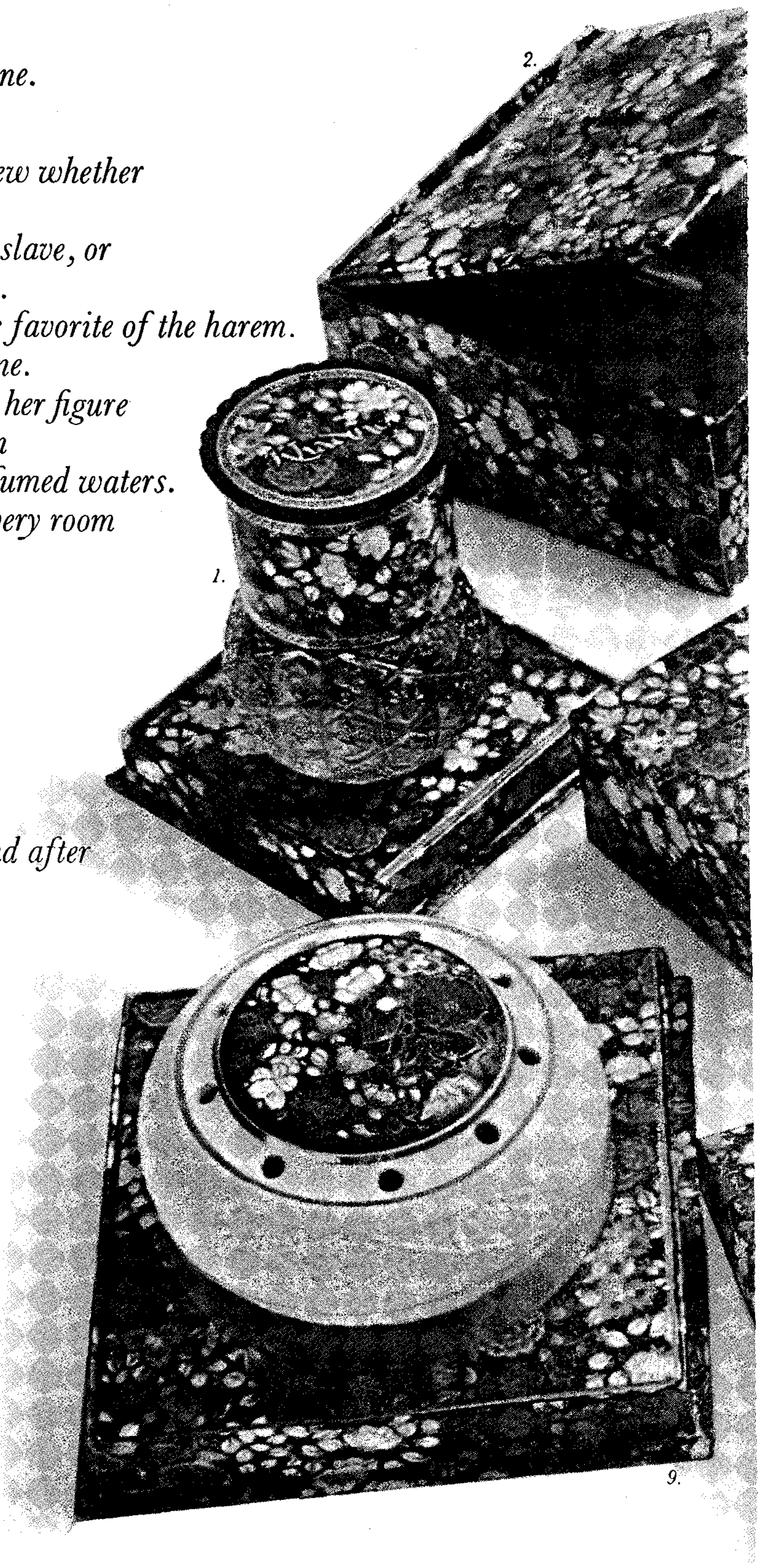

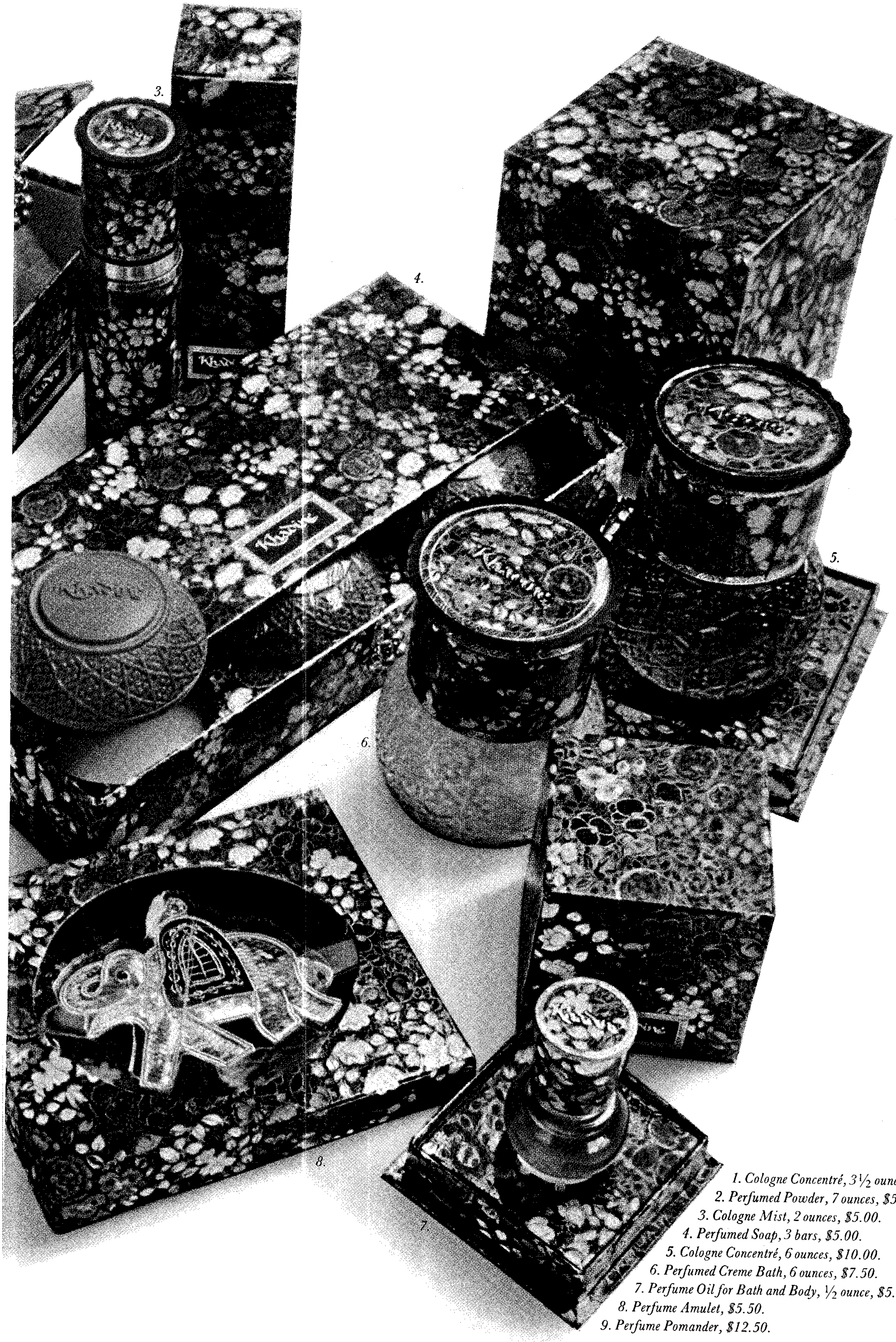

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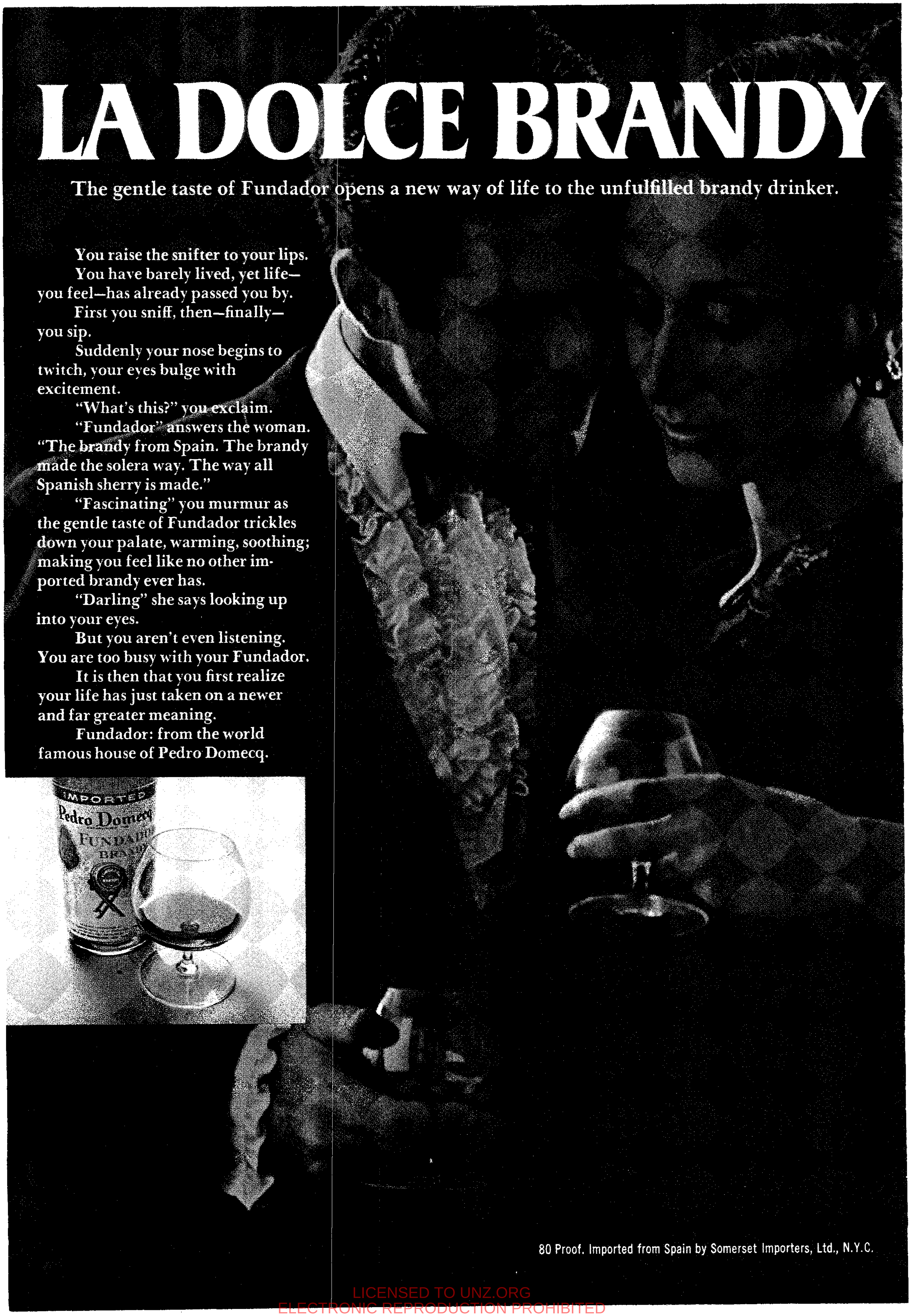

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ping and electronic eavesdropping when the nation's security was threatened, but insisted on the most rigorous safeguards to insure that the authority was not abused. Senator Hart argued that McClellan's bill offered a despotically inclined President enough power to abuse just about anyone in sight. On a President's own motion, Hart explained, he could declare—apparently to himself—that members of a left-wing or a right-wing political group, participants in a national labor dispute, draft protesters, civil-rights demonstrators, or any kind of political dissenters constituted "a clear and present danger to the structure or existence of the government," and from that moment on he could listen to everything they said. That sounded bad enough, Hart said, but the rest of the bill was worse, for it created "an indiscriminate dragnet," which would pick up conversations not only of a suspect but of anyone who happened to speak to him—and, if the dragnet was extended zealously, of anyone who happened to speak to someone remotely connected with him. In a statement submitted for the record of the hearings, the A.C.L.U. charged that S. 675 clearly violated the Fourth Amendment's prohibition against "unreasonable searches and seizures." "If there was any one abuse with which the framers of our Constitution were concerned, it was with the general warrants and the writs of assistance which authorized general exploratory searches," it explained. "To prevent this, the founders required the search and seizure to be limited to specifically listed items. This requirement cannot possibly be complied with where wiretapping and bugging are concerned, for no such limitation is possible. Once the tap or bug goes on, the recording machine starts to operate, and *everything* is taken down, often for weeks and months." The A.C.L.U. also called attention to "the tendency of the courts to rubber-stamp police determinations of probable cause" and give permission for search warrants without looking into the case at hand—a tendency that several other witnesses called "notorious." According to the A.C.L.U., the number of people who would sooner or later be subjected to "this odious practice" was unbounded, for almost everyone has some contact with a criminal or a crime, frequently without knowing it.

By the time the hearings ended, on July 12th, men like Senator Hart were watching the situation develop with growing alarm. "What must be avoid-

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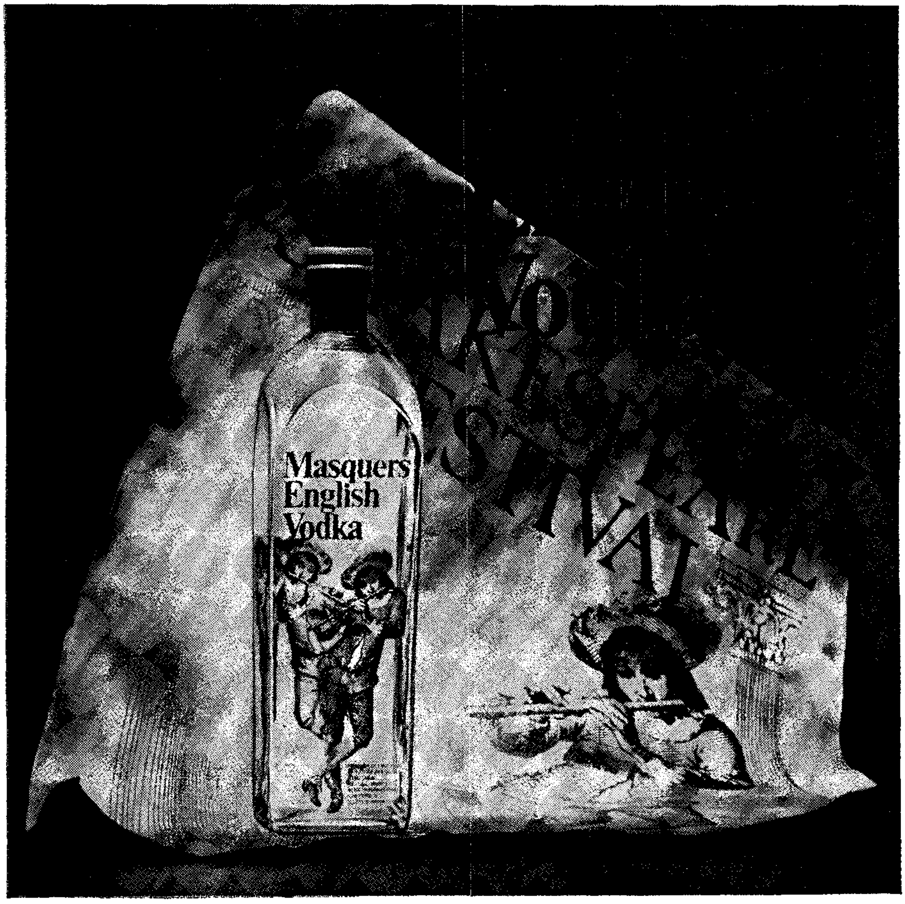

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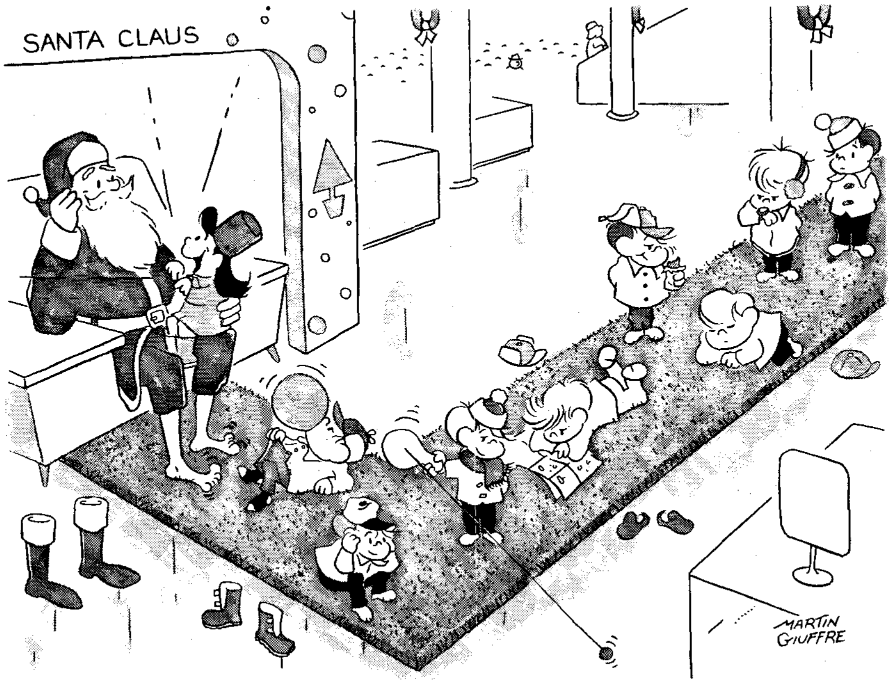

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ed at all costs is a basic confrontation between the legislature and the courts," he said. Chief Justice Warren, in a speech delivered before the chief judges of the fifty federal courts some time later, alluded to the consequences of such a confrontation when he said that "the greatest adhesive power we have is the profound belief of the American people in our constitutional system, the dedication of our public servants to obey its injunctions, and the independence of our judiciary." That power is of necessity compounded mostly of belief and dedication, for the courts have no other means of enforcing their decisions. If that belief were to disappear, to be replaced by a public demand that police power be elevated over judicial power, and if the leading public servants were to set aside their dedication in order to satisfy the people, our form of government would soon end.

ORDINARILY, the conservative coalition that dominates Congress exercises negative control, and merely votes down bills, or parts of bills, that it dislikes. In the case of crime control, however, it saw an opportunity to exercise positive control, both in the Senate and in the House of Representatives. During the spring of 1967, Subcommittee No. 5 of the House Judiciary Committee held its own hearings—in a far more detached manner than McClellan's subcommittee—on the Administration's bill to provide federal funds for research and improvement of local law-enforcement facilities; it then voted to recommend the measure virtually unchanged, and sent it to the full Judiciary Committee, which also approved it and passed it on to the floor. There, in the course of a three-day debate, ending on August 8th, the entire bill was rewritten. According to *Congressional Quarterly*, one of the most widely respected journals in the capital, the result "bore little resemblance to the bill President Johnson had proposed." To begin with, the House version added twenty-five million dollars to the fifty million originally requested by the President, and earmarked the addition exclusively for use in controlling riots and organized crime. In the Administration view, money vitally needed for research, training, and modernizing correctional systems would be used for tear gas and wiretapping equipment instead. Another amendment required that all federal grants provided for in the bill be given to the states to administer, rather than directly to specific localities, as they always had been in the past. This

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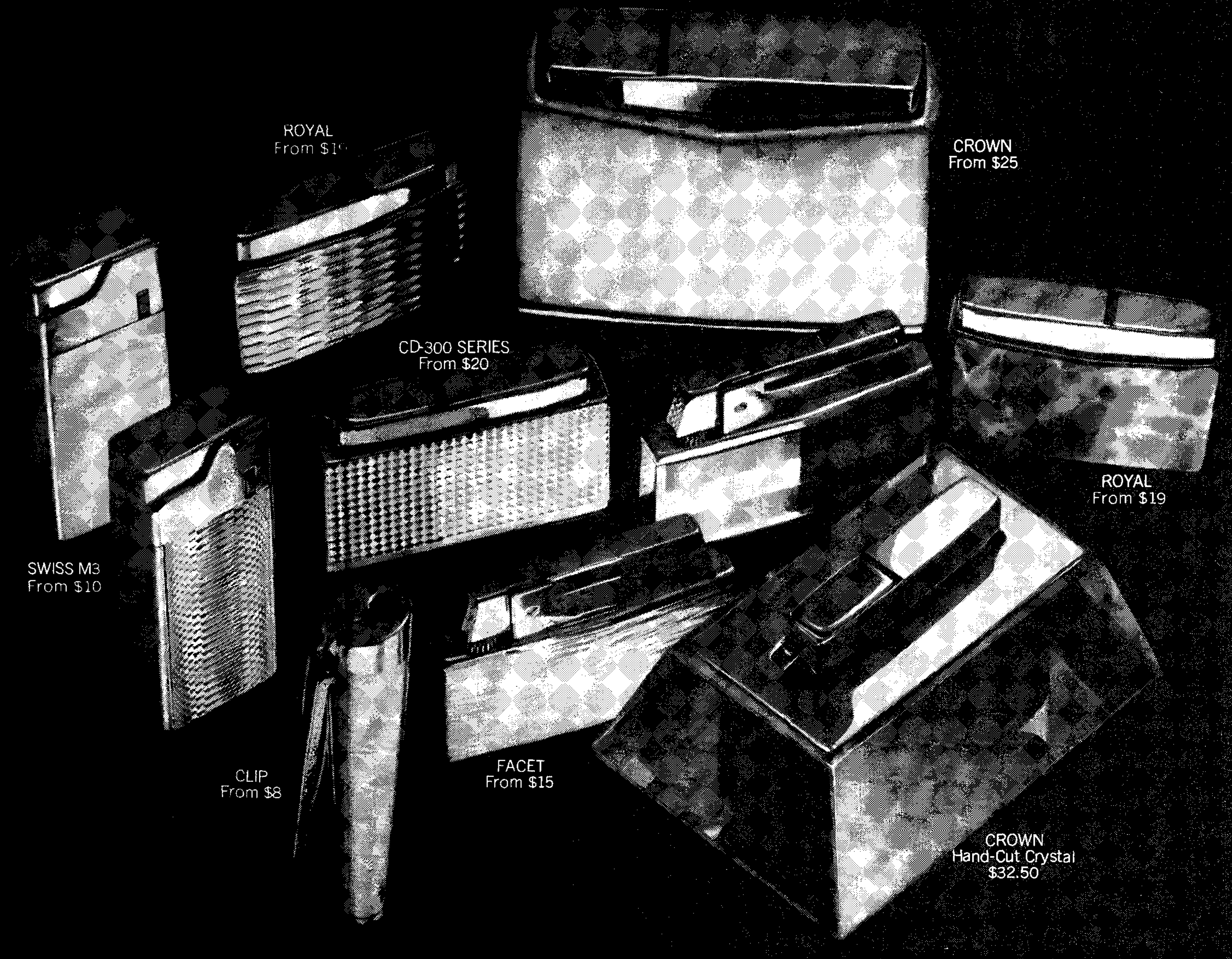
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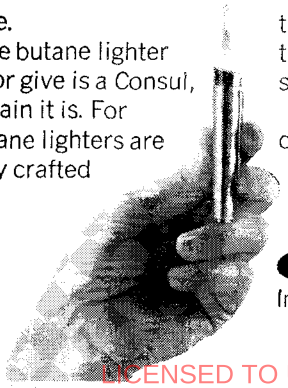

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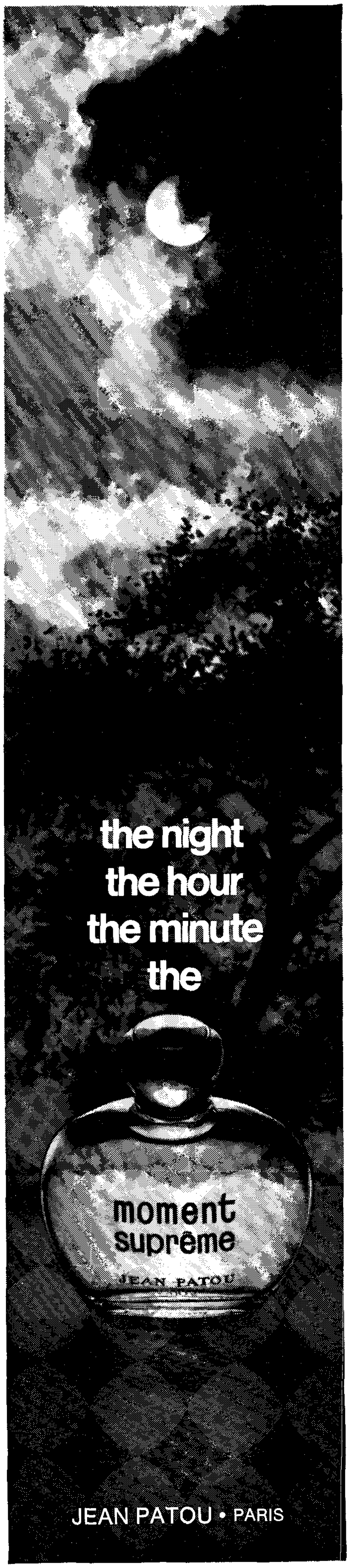

block-grant provision threatened to create a precedent that might ultimately destroy the federal government's right to determine how its money was to be spent. The venerable chairman of the House Judiciary Committee, Emanuel Celler, of New York, who was manager of the bill, took the floor to plead with his colleagues not to transfer control to the states, which, he said, had "no expertise," "no personnel," and "no knowledge whatsoever with reference to coping with these tremendous problems." He got nowhere, and the House passed the revised bill by a vote of three hundred and seventy-seven to twenty-three.

Off and on during September and October of 1967, McClellan called the Senate Subcommittee on Criminal Laws and Procedures into executive session to prepare—or "mark up," as it is called—his own anti-crime bill. The legislative colloquialism was appropriate, for when the bill emerged, on October 30th, it had been marked up beyond recognition. It was widely called a "Christmas-tree bill"—with something hanging from it for just about everyone. At the start of the subcommittee's deliberations, the White House had assured Senators Hart and Kennedy that McClellan had given his promise that he would stop Ervin from adding indiscriminately to the bill. But McClellan did nothing when, time after time, Ervin put a hand into his pocket, saying, "I got a little amendment here," and offered it. Since some of his amendments had scarcely been discussed during the hearings, and one or two of them not at all, Hart and Kennedy tried to delay the vote on them in the hope that the passage of time and the weight of their objections would bring the opposition around to the point where it would consider a compromise they all could live with. Each time, though, Eastland, who rarely attended subcommittee meetings but was on hand for all the critical ones during the marking-up period, would remove a panatela from the center of his mouth and call out, "Vote! Vote!" The votes clicked off, usually five to three in favor, but sometimes six to two, when Scott swung over to the right wing.

The final measure, still known as S. 917, consisted of three principal sections, or, as they later came to be called, titles. Title I was the subcommittee's revision of the House's revision of the Administration's original proposal. The major change in it was that the subcommittee added ten million dollars to the twenty-five million

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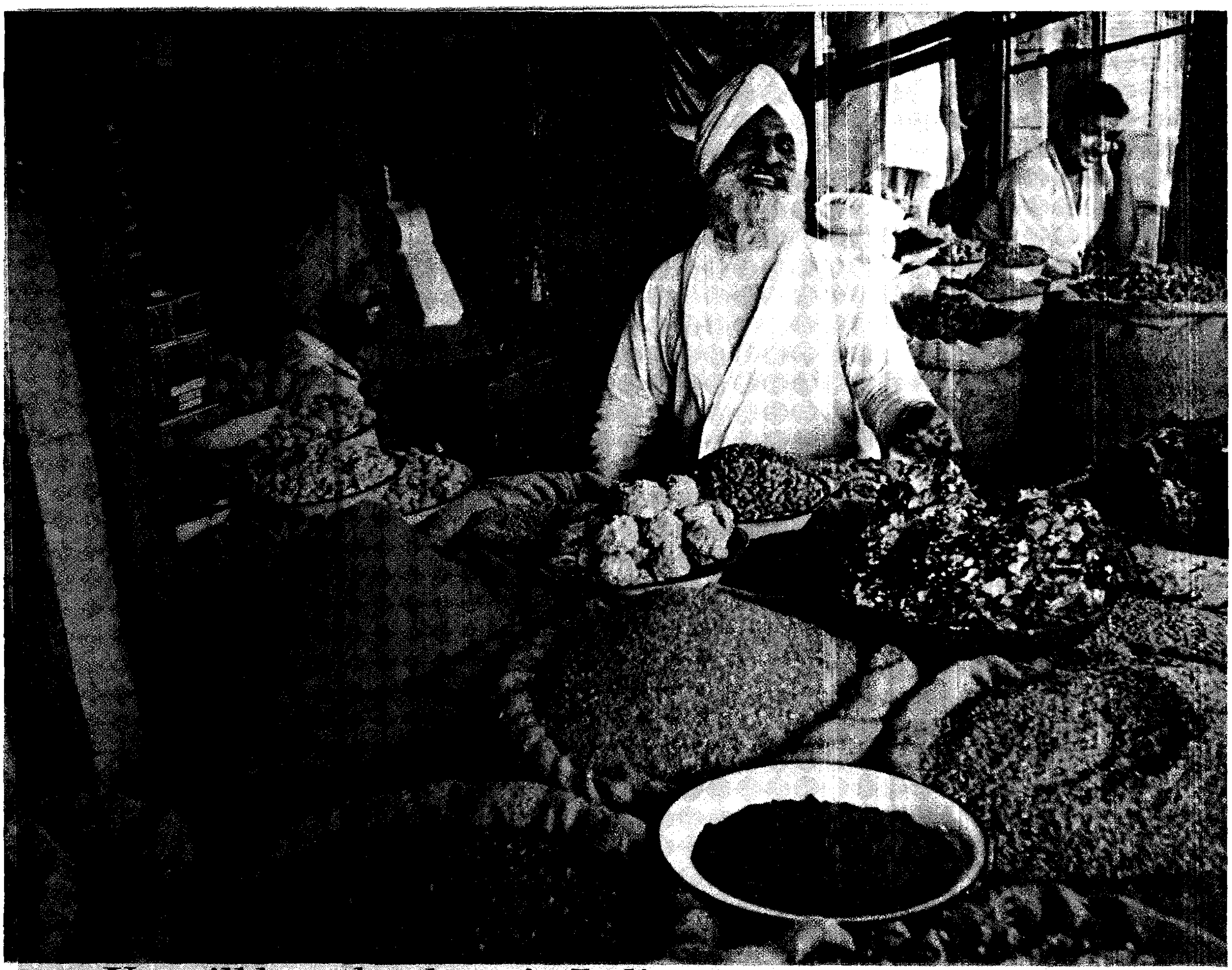

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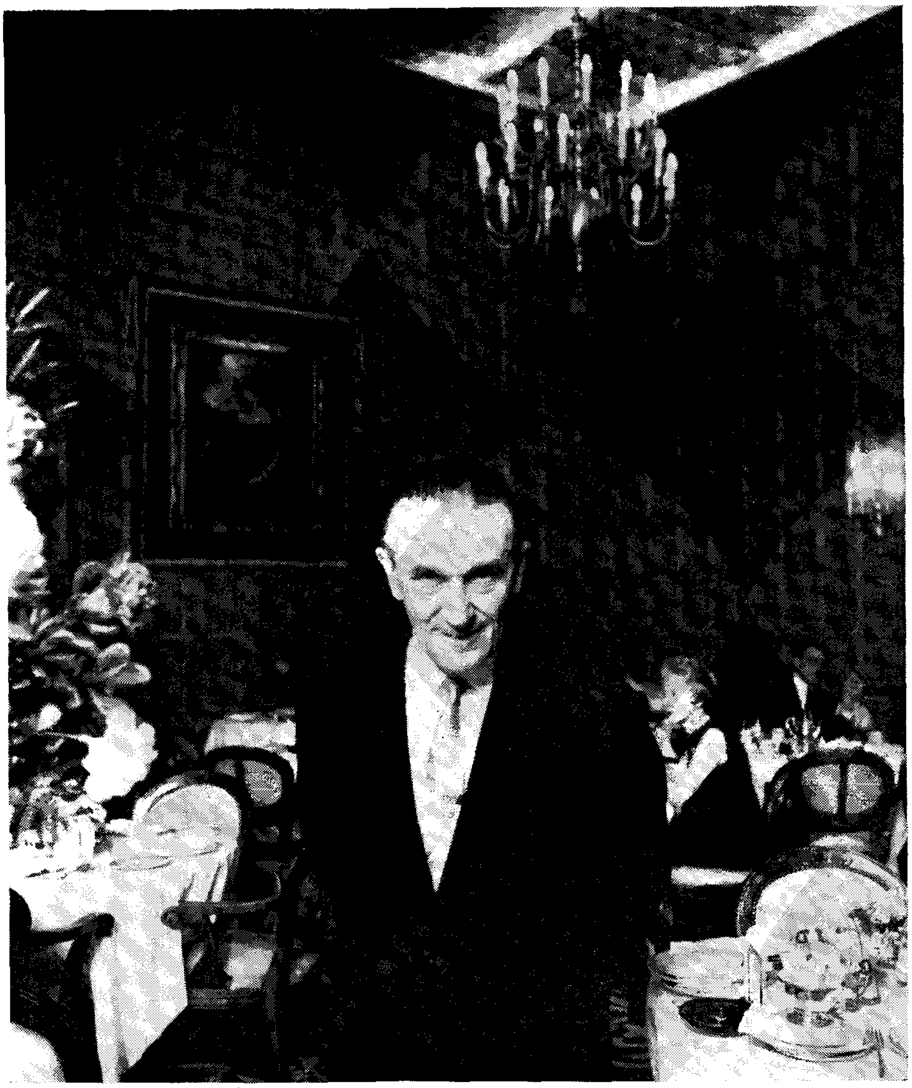
provided by the House for controlling riots and organized crime. If implications of race prejudice were not unmistakable by this time, the bill also provided that Title VI of the 1964 Civil Rights Act, which empowered the federal government to refuse funds to any state or local agency that practiced discrimination, would not apply to funds authorized by this measure. Then, to further insure that the "intent of Congress" was carried out, the subcommittee removed control of the grant program from the office of the Attorney General, whose current occupant was not to the liking of the subcommittee's majority, and placed the operation under a three-man bipartisan board.

Title II constituted the most sweeping attack on the Supreme Court since Franklin Roosevelt tried to expand its membership in 1937. (Francis Allen, dean of the University of Michigan Law School, has concluded that the new assault "may be a more insidious threat, for it is less forthright and candid, and its dangers less apparent to the public at large.") First, this part of the bill included McClellan's proposals overturning the Miranda and Mallory decisions. Second, it included Ervin's amendments limiting the jurisdiction of the Court. Third, it added a new Ervin amendment, to prohibit the Supreme Court and lower federal courts from reviewing any state criminal conviction on a writ of habeas corpus. Often called the "great writ," this dates back to the thirteenth century, and gives any prisoner the right to demand that his jailer justify his detention under the law, and imposes upon the jailer the obligation to do so in open court. Although Ervin's amendment had no effect on the use of habeas-corpus writs within a state's judicial system, it prohibited the federal judiciary from granting them to prisoners who felt that a state had unjustly locked them up. Finally, Title II contained an Ervin amendment to overturn the Supreme Court's decision in United States v. Wade, which had been handed down on June 12th, a month before McClellan adjourned the subcommittee hearings. Although the subcommittee's record was still open then, and left open for several weeks, no specific reference to the Wade case was ever added to it, and so the members had no direct evidence before them on which to base their votes. Nonetheless, they voted six to two in favor of overruling the Court. Briefly, the Wade ruling held that when a suspect was placed in a police lineup be-



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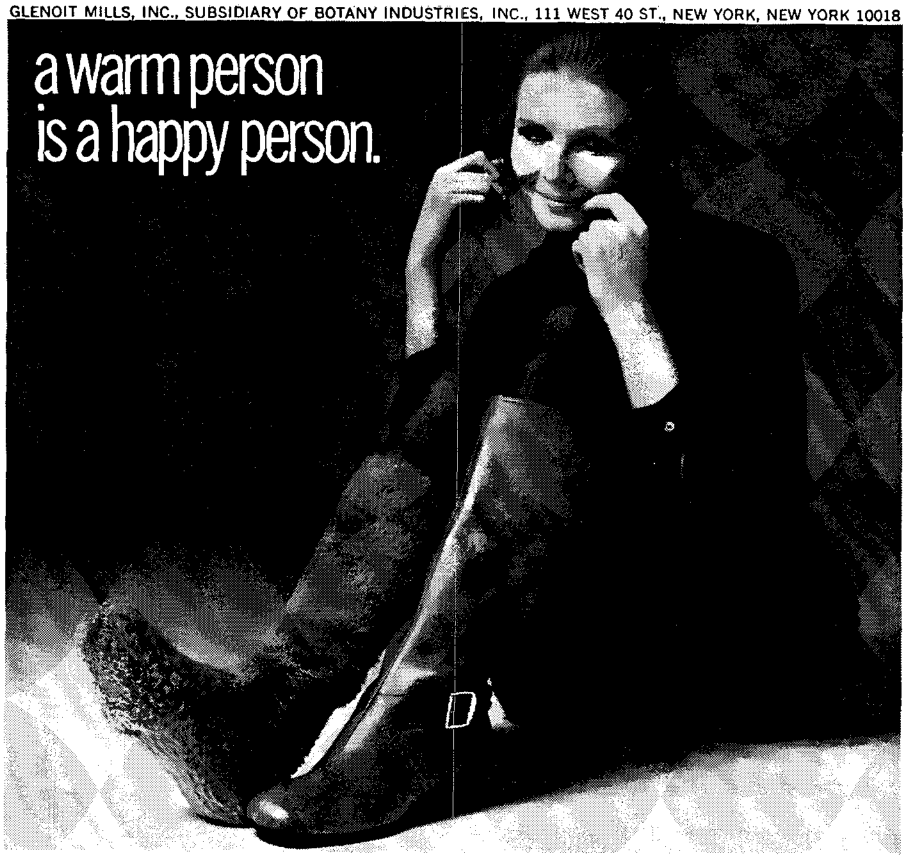

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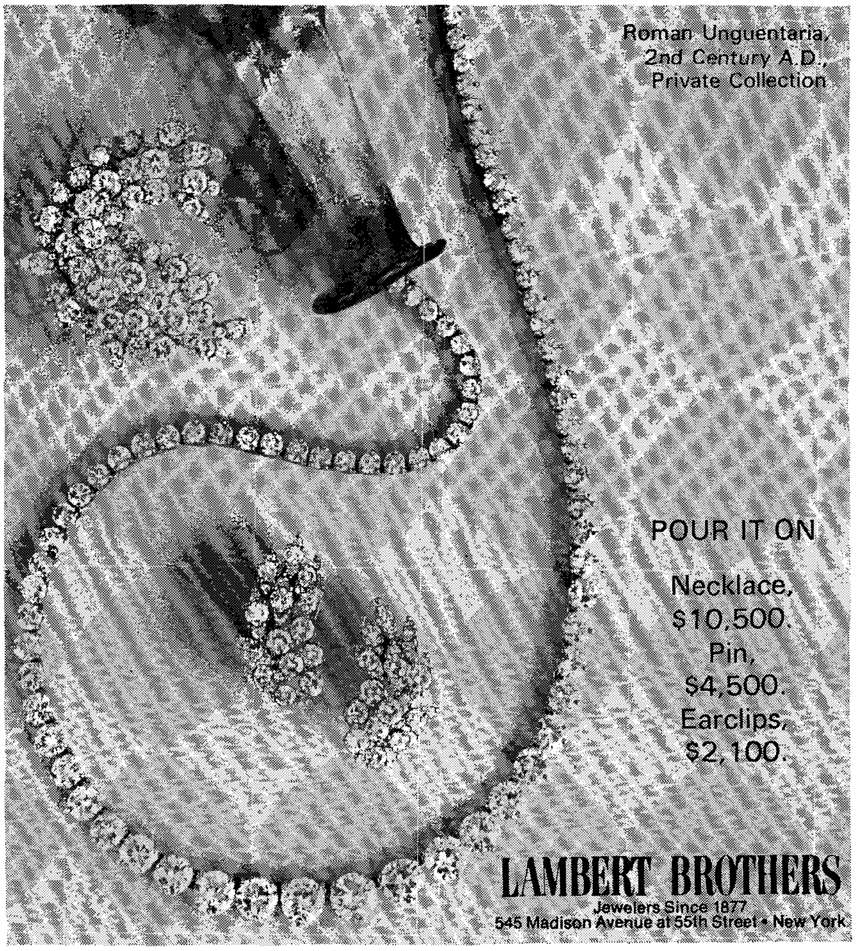

fore witnesses to a crime, the state had thereby switched from the investigatory to the accusatory stage and that, in keeping with earlier decisions protecting the rights of suspects in criminal actions, identification obtained by such means was inadmissible as evidence unless the defendant had been offered the opportunity to be represented by counsel at the lineup. The ruling was aimed at stopping the police from using tricks like the "reverse lineup" which Chief Justice Warren had commented on in the Miranda decision, and from relying on other common subterfuges, such as putting a short suspect in a lineup of tall men, a young suspect in a lineup of old men, or a black suspect in a lineup of white men. In the Wade opinion, Justice William J. Brennan, Jr., pointed out that eyewitnesses often had little opportunity for a good look at a criminal at the time of the crime, and that at a lineup they were unusually susceptible to suggestion, whether it was intentional or not. Where the witness had also been the victim, he went on, objective identification was even more difficult, because of the unavoidably upsetting nature of such an occasion, often attended by either an open or a covert desire for revenge. Finally, once a suspect had been picked out at a lineup, the witness was almost certain to stick to his identification rather than destroy the state's case by testifying at the trial that he had been wrong or was no longer sure. In any event, Ervin's amendment stipulated that no federal court, including the Supreme Court, could review any determination by a state or federal trial judge that eyewitness testimony was admissible as evidence.

The subcommittee's deliberations on Title II left very little doubt about McClellan's and Ervin's motives. "They really *hate* the Supreme Court," a participant in the discussions said later. "It's easy for them to use it as a scapegoat to blame all the crime on, because where they come from the Court is already bitterly resented for its civil-rights decisions, and any attack on it is popular. Also, there's no fear in their home states that a bill like this one would destroy our open society, because down there it never has been really open. But both of them know better. They must know that the bill will hurt the poor and yet do nothing about crime. It may be true, to a certain extent, that McClellan actually believes that you can solve the crime problem by locking people up. Of course, that's true, as Hitler and Stalin proved. But even McClellan must know you can't do that without destroying our system. Ervin certainly knows it. He's not only the leading Constitutional lawyer in the Senate—he's smart. All through his career, he's wanted to be named to the Court. Now that it's clear he's never going to make it, he doesn't seem to care what harm he does to those who did make it. He's just plain sore—and a bad loser."

Title III consisted of a revised amendment to control—and permit—tapping and bugging. Around the time of the hearings, the Supreme Court delivered two more opinions on the subject. One, Berger v. New York, reversed the conviction of Ralph Berger, a public-relations consultant to the Playboy Club in New York City, who had been convicted—largely on the basis of evidence obtained through use of a bug—of conspiring to bribe the chairman of the New York State Liquor Authority. The Court held, first, that the state court's authorization to use the bug in this case constituted the sort of general warrant that the Constitution forbids, since the New York law allowed the police, with court permission, to listen in on an alleged criminal without first specifying the nature of the evidence they were after; second, that sixty days, the time the law allowed surveillance of this sort to be carried on, was unconscionably long; third, that the police had not removed the bug after they got the information they wanted; and, finally, that the suspect had not been told before he was tried that his premises had in fact been searched—in the sense that his conversations, like written records, had been taken as evidence. The other case was Katz v. United States, in which the defendant, Charles Katz, had been convicted of violating the federal law that forbade the transmission of betting information via interstate telephone. In this instance, F.B.I. agents had carefully circumscribed their surveillance by placing a bug on the outside wall of a public-telephone booth that Katz customarily used and recording only his side of the conversations that incriminated him. Despite the restraint shown by the agents, the Court ruled that they had violated the Constitution by proceeding without the permission of "a duly authorized magistrate, properly notified of the need for such investigation, specifically informed of the basis on which it was to proceed, and clearly apprised of the precise intrusion it would entail."

Senator Hruska had introduced a new bill, S. 2050, which he claimed included the restrictions laid down by

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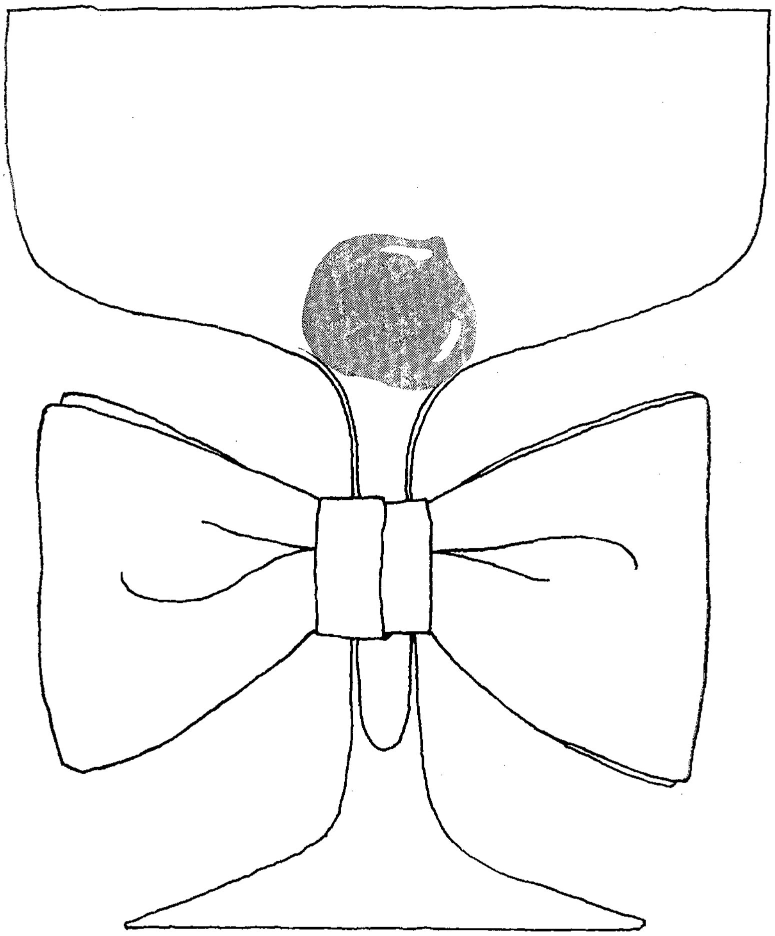

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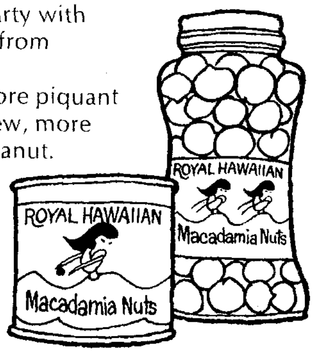

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the Court—a claim that was widely disputed by legal scholars. The subcommittee majority combined parts of his bill with parts of McClellan's to produce the final version of Title III. It limited official eavesdropping to periods of thirty days initially, with thirty-day extensions, upon the permission of a federal, state, or local judge in the jurisdiction involved. He was to be apprised beforehand of "the identity of the applicant," "the facts and circumstances relied upon" in the application for a tap or bug, where and how it was to be placed, and "the type of offense or offenses as to which information is to be sought"—none of which seemed to describe the "precise intrusion" to be made, as set down in the Katz decision. In turn, the judge was to determine that a crime had been, was being, or was about to be committed and that police surveillance by way of a tap or bug would produce evidence that could not be found by any other means. The judge was also required to notify the tapped or bugged party that he had been tapped or bugged "within a reasonable time but not later than one year" after the surveillance had ended (unless the judge waived the rule "on good cause"), to keep the tape recordings in question under seal in his court, and to notify a defendant no later than ten days before the recordings were to be used in a trial that they had been made and when (unless the judge decided that there wasn't time and the omission would not be prejudicial). As in the original McClellan bill, Title III gave the President authority to listen in on just about anyone who in his opinion threatened the nation's security. And, in a new provision, Title III permitted "any investigative or law-enforcement officer who determines that . . . an emergency situation exists" to tap or bug whoever was involved for forty-eight hours *without so much as going near a judge.* Hart and Kennedy contended that this provision, in particular, invited widespread and unrestrained invasions of privacy and opened the door to political intimidation and outright blackmail, but Eastland called out "Vote! Vote!" and the subcommittee's members rejected their argument by six to two. After that, they approved the whole title by the same margin.

Although the two dissenters had known what the outcome of the subcommittee's deliberations would be, they were still appalled by it—since they felt that the bill would allow one corrupt prosecutor and one corrupt judge to harass an entire town or

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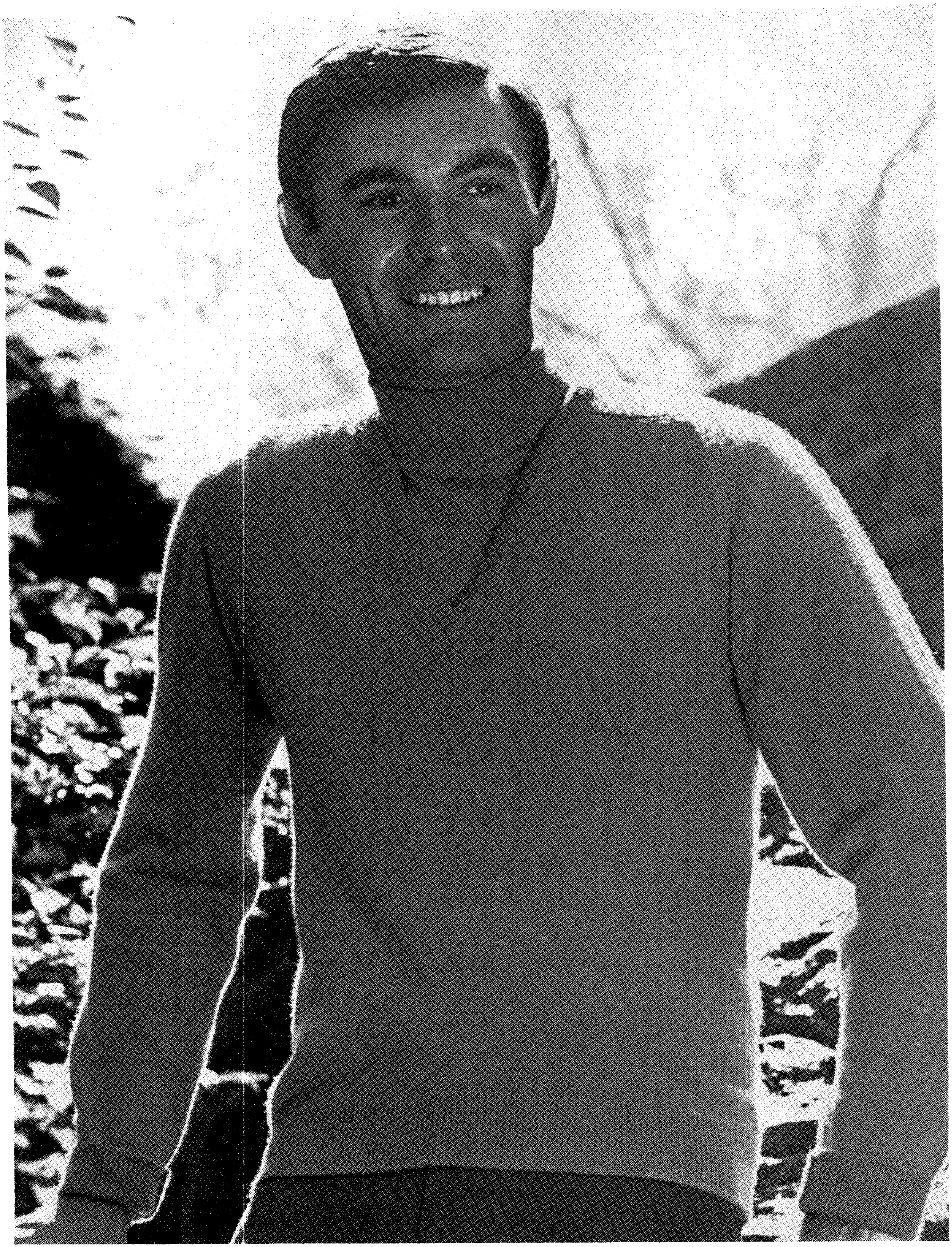

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city—and determined to do what they could to block the bill when the full Judiciary Committee met to consider it. Accordingly, they got together with a couple of top officials in the Department of Justice to work out a new strategy. In the end, they decided to introduce what is known as "a clean bill"—that is, one that stands by itself rather than adds to confusion by amending amendments. This one was the Administration's original proposal with a few modifications. At each stage of the drafting process, aides showed the results to McClellan's staff, but when Hart and Kennedy finally offered the clean bill to the subcommittee's parent body, the Judiciary Committee, early in November, McClellan acted thunderstruck and angrily charged that he had been betrayed. In all likelihood, he was hoping to gain a vote or two from uncommitted members who might be inclined to weigh the issue more on the basis of sportsmanship than on its merits. (*Another factor that was not lost on* anyone who was inclined to join Hart and Kennedy was that while the make-up of the sixteen-member Judiciary Committee was fairly moderate, its leaders—Eastland and McClellan at the head of the majority, and Everett McKinley Dirksen and Hruska at the head of the minority—were conservative allies, and could be relied on to block bills submitted by any members who opposed them.) In any case, McClellan's move failed. Five other Democrats rallied to Hart's and Kennedy's side—Joseph Tydings, of Maryland; Birch Bayh, of Indiana; Quentin Burdick, of North Dakota; Thomas J. Dodd, of Connecticut; and Edward Long, of Missouri—and one Republican, Hiram Fong, of Hawaii, joined them. On the other side were Eastland, McClellan, Ervin, Dirksen, Hruska, Thurmond, and George Smathers, Democrat of Florida. That made it eight to seven in favor of the new measure, with one member being absent—Scott, who had voted for the subcommittee bill but was now in Europe and was expected to stay there until the end of the year. Moving quickly to take advantage of the one-vote margin that Scott's absence provided, Hart pressed for a roll-call vote on the clean bill. Just as quickly, the opposition pointed out that the Senate was in session and if any member objected to a committee session's being held while it was, the rules sustained the objection automatically. Ordinarily, the Judiciary Committee meets only once a week, so that took care of the first week. At the

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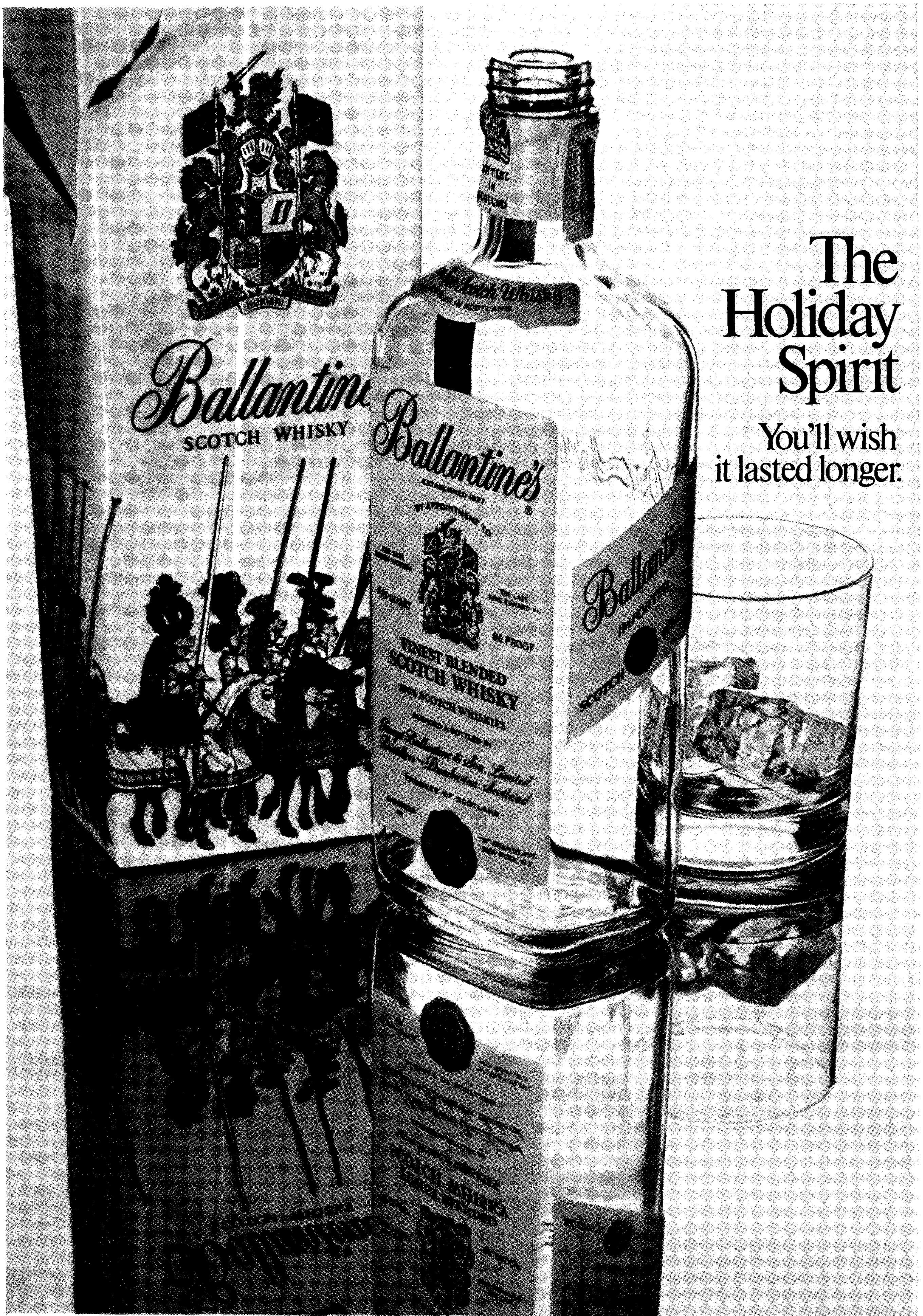
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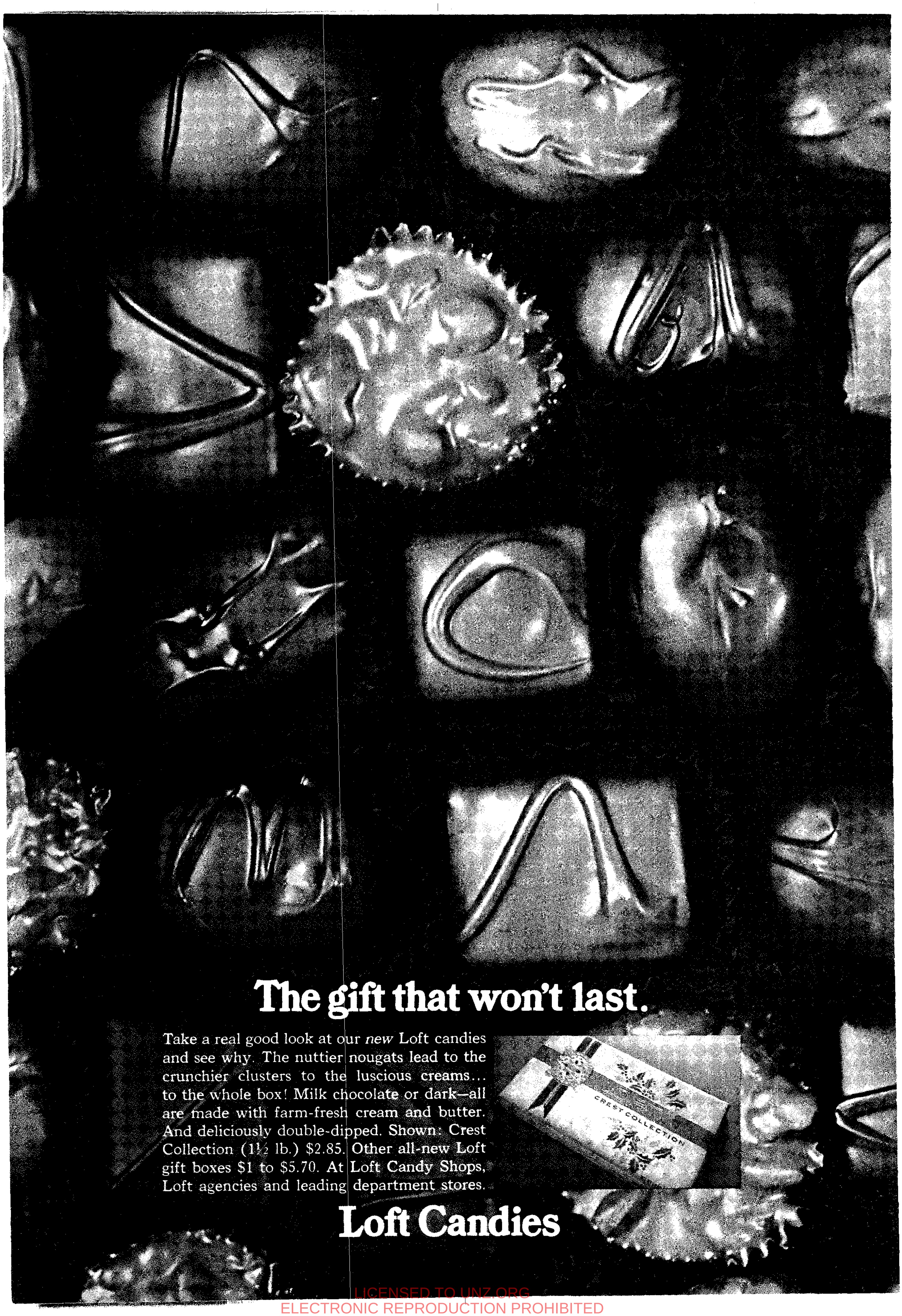

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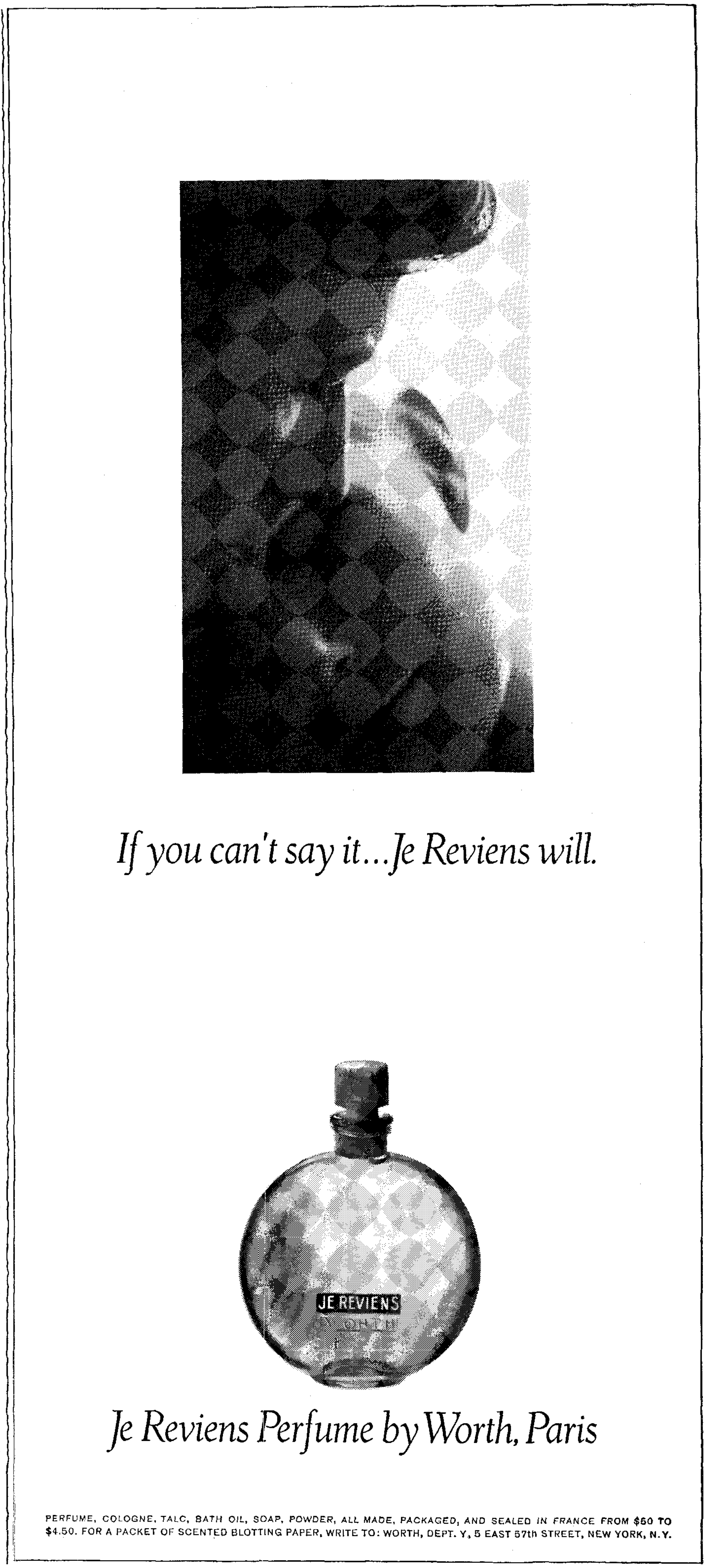
next meeting, Ervin refused to allow a vote because McClellan, the principal author of the subcommittee bill, was unavoidably detained by his responsibility as chairman of a set of Senate hearings on recent riots. That took up the second week. At the third meeting, McClellan was on hand, but the clean-bill forces feared that he or Ervin would take advantage of the Judiciary Committee's unique "right of hold-over"—by which a given topic is automatically held over for a week upon the request of any member, who thereby exhausts the privilege for all members. Fearing that McClellan or Ervin would postpone things merely by talking, without invoking the rule, thus leaving it available for a later meeting, the liberals decided to use it themselves to get it out of the way. That took up the third week. At the following meeting, McClellan's forces, having exhausted their parliamentary delays, threatened to filibuster—a move they could have made at the outset, but at the cost of weariness and frayed tempers all around. That was enough to put off a vote on the clean bill for that meeting, and a few days later, on December 15th, Congress adjourned. Just before it did, Hart and Kennedy warned that unnecessary delays were postponing enactment of *any* anti-crime bill until the following summer, at the earliest, and that in the meantime more thousands of people were being murdered, maimed, robbed, and mugged. A few days before adjournment, the F.B.I.'s quarterly *Uniform Crime Reports* showed that there had been a sixteen-per-cent increase in the crime rate as compared with the first nine months of 1966—the greatest increase since 1958.

WHEN Congress convened again, on January 15, 1968, the Associated Press polled members on what they had found their constituents to be most concerned about during the recess. "Overwhelmingly, the members reported that anger over riots and crime overshadowed all other domestic issues and, in many cases, even the war in Vietnam," it announced. About that time, former Vice-President Richard M. Nixon told the Richmond, Virginia, Chamber of Commerce that the blame for the nation's lawlessness could be laid to the courts, which, he said, "have gone too far in weakening the peace forces against the forces of crime." A few days later, President Johnson delivered his State of the Union Message, in which he said, "There is no more urgent business before this



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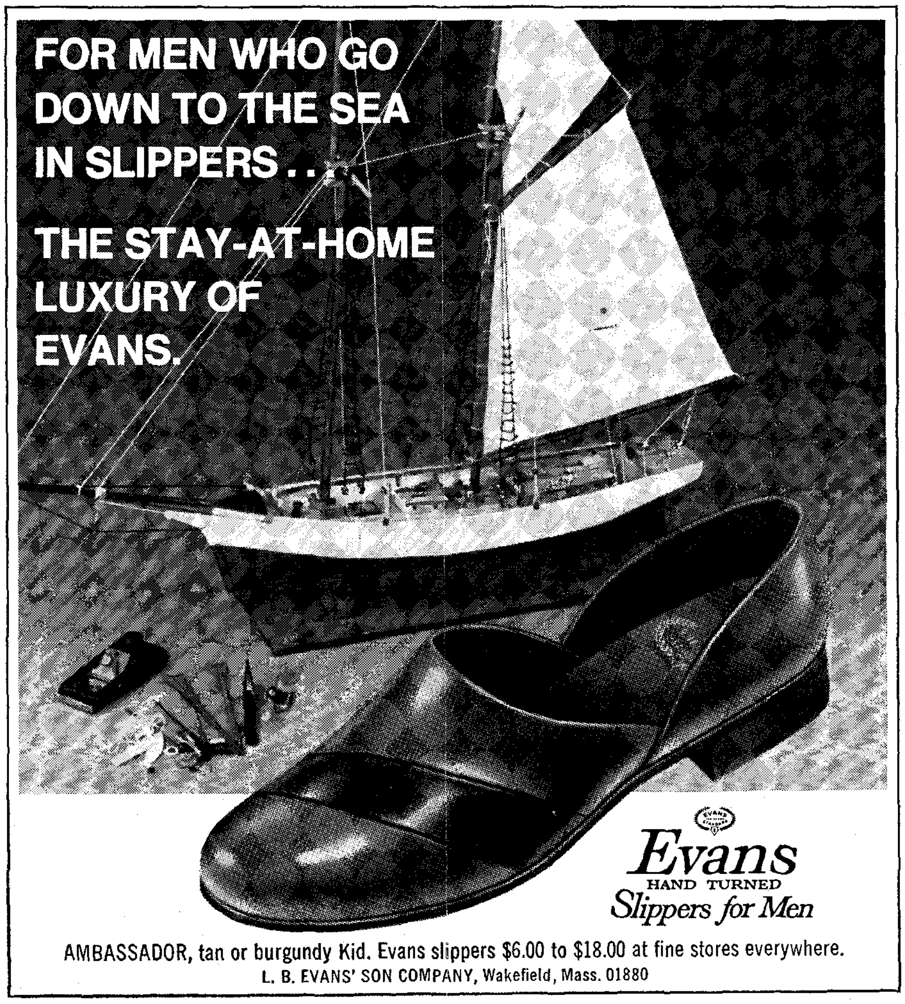

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Congress than to pass the Safe Streets Act this year that I proposed last year," and asked that the funds in it be doubled. Three weeks later, he also sent Congress a special message called "The Challenge of Crime to Our Society," which contained a twenty-two-point legislative program. Aside from calling for passage of the Safe Streets Act, the message proposed a Juvenile Delinquency Prevention Act, a Right to Privacy Act, a model crime-prevention project to be added to the Model Cities Program, the establishment of a strong Corrections Service within the Department of Justice, a comprehensive plan to control drug use, provision of top priority for the government's so-called anti-racketeer Strike Forces—a combination of all federal agencies that might be involved—in cities beset by organized crime, and the appropriation of funds to hire more policemen, more F.B.I. agents, and more United States Attorneys around the country. According to *Congressional Quarterly*, the message offered "the most comprehensive set of anti-crime proposals ever sent by a President to Congress." But according to Gerald Ford, Minority Leader of the House, "the President has failed to fully recognize the problem of crime in America and effectively respond to the challenge." That charge, along with Nixon's, gave notice that the Republicans had chosen crime as one of the chief issues in their campaign for the White House. It did not seem likely that the Supreme Court could escape playing a role, however passive, in that contest. And if it didn't succumb to what Justice William O. Douglas has called the "powerful hydraulic pressure . . . to water down constitutional guarantees and give the police the upper hand," it could expect further public demands that Congress take steps to limit its power.

The Senate Judiciary Committee got back to S. 917, as revised by its subcommittee, toward the end of March, 1968. The sections were discussed and acted upon separately, and when Title I, its heavily altered version of the Administration's original bill, came up, Hruska offered an amendment to include the Republican block-grant approach that had been added to the bill in the House version, but lost by one vote. Among the proposals that were adopted were the addition of fifteen million dollars to the grants-in-aid program, bringing the total to a hundred million dollars; an amendment, offered by Edward Kennedy, to set up a National Institute of Law Enforcement and Criminal Justice (similar to the

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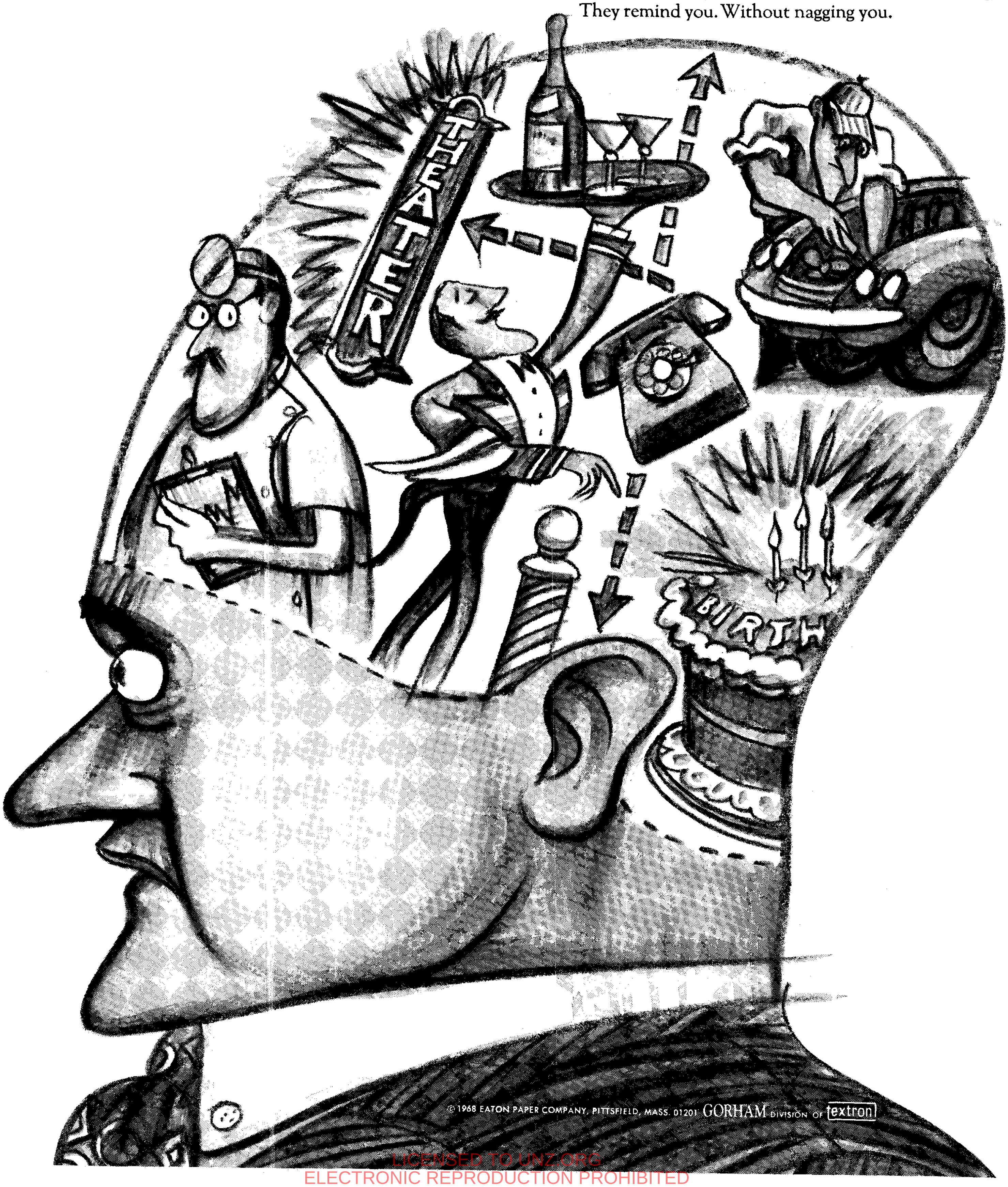

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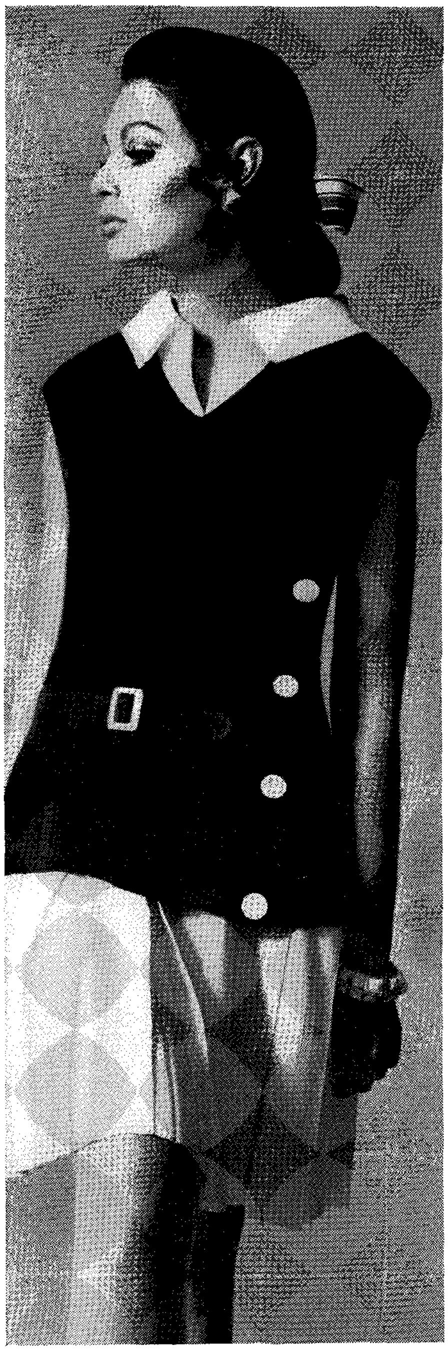

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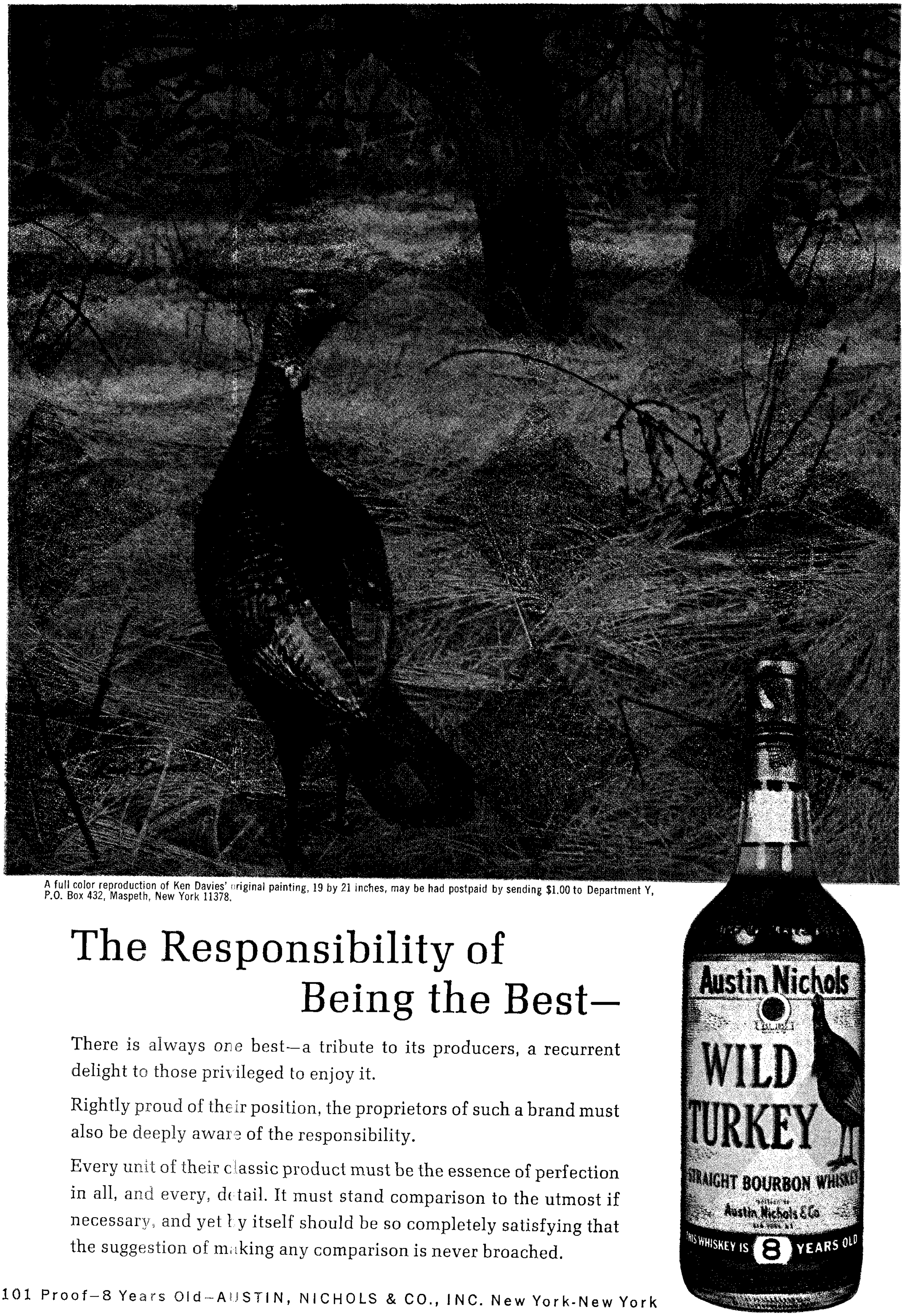
National Institutes of Health), which would provide facilities for research on advanced techniques for police, courts, and correctional systems; and a change in title from the Safe Streets and Crime Control Act to the Omnibus Crime Control and Safe Streets Act—apparently because someone had decided that crime had to be controlled before the streets would be safe. Senator Scott was back in town, and when the showdown vote on the anti-Supreme Court measures in Title II was taken—on a motion to strike out the entire section—he supported McClellan, to produce an eight-to-eight tie. Since a motion fails if the vote on it is a tie, Title II was retained. (For many months, McClellan had been berating the Court for making landmark decisions on narrow margins, like the five-to-four vote in Miranda, but he did not complain about the even narrower margin of his own victory.) Only eleven members of the committee were present when Senator Hart moved to strike Title III, the one dealing with various forms of eavesdropping, and Hart's motion lost by a vote of nine to two, the other affirmative voter being Senator Burdick and the opponents being Eastland, McClellan, Ervin, Bayh, and Tydings on the Democratic side and Dirksen, Hruska, Thurmond, and Fong on the Republican side. On the vote to approve Title III as written, Burdick went over to the majority, making it ten to one, but after the meeting Fong decided that he had miscast his vote originally and recast it with Hart, thus making the score nine to two. Then Burdick did the same, making it eight to three. (Several factors contributed to producing a lopsided vote on Title III. For one, shortly before, Mr. Nixon had announced that he supported wiretapping as proposed in the bill, which thereupon made it strict Republican policy to support it—a line that was departed from only by Fong. The votes of the conservative Democrats on the committee needed no explanation. Personal considerations were involved in the fact that two of the majority votes were cast by normally liberal members, Bayh and Tydings. The former was up for reëlection, and Indiana, his home state, was relatively conservative on most issues but deeply conservative on this one; even so, he straddled the fence by voting for the bill in committee and then announcing in a separate view in the committee report that he had done so reluctantly. But Tydings was not at all reluctant to give his support to the official eavesdropping sanctioned by the bill—in large measure, it would appear, because he had been a United States Attorney before coming to the Senate, and shared the ordinary prosecutor's zeal for any new method that could be used to get at criminals. If the five absentees had been present, the tally would have stood at ten to six.)

At the end of its deliberations, the committee took up a proposal made by Senator Dodd that it add another title to the bill by including a measure of his that had been kicked around on the Hill for nearly five years—a bill to regulate the sale, distribution, and importation of firearms. Dodd appealed for a strong bill, and lost by a vote of eight to five, on the afternoon of April 4th. Less than an hour later, Dr. Martin Luther King, Jr., was assassinated, and then riots burst out in cities around the country, including a particularly violent one in the capital. On April 6th, the committee reconsidered Dodd's proposal, and this time approved it, though not in the form he wanted, by a vote of nine to seven. The amendment, designated Title IV, was exceedingly modest; it exempted rifles and shotguns from all controls, and merely prohibited the sale of pistols and revolvers by interstate mail order to any individual who was not a dealer, along with the sale of handguns over the counter to anyone who was not a resident of the state where the sale was to take place, or who was under the age of twenty-one. Weak as the bill was, it was by far the strongest gun-control measure Congress had ever given serious consideration to.

SENATE debate on S. 917 got under way on May 1st—now officially called Law Day, to take the old Socialist May Day taint from it—and when McClellan rose to introduce the bill he took advantage of the occasion to say, "Let us hope that this happy coincidence will overwhelm us as we embark on our deliberations." Before it was all over, three weeks later, the Senate had certainly been overwhelmed by something. When McClellan reached the main point in his opening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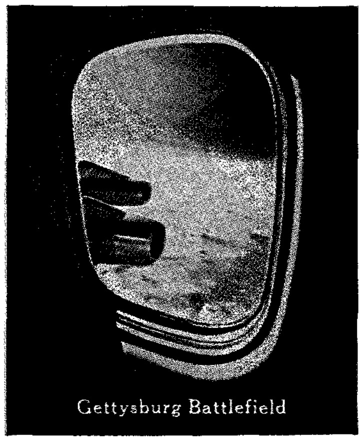
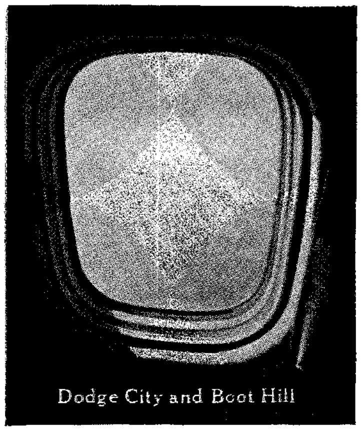

Gettysburg Battlefield

The Grand Canyon at dawn...Manhattan at dusk...sunlight on the winding Mississippi.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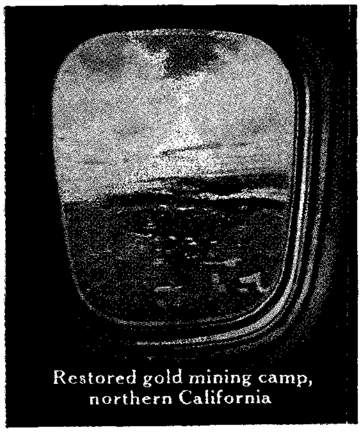
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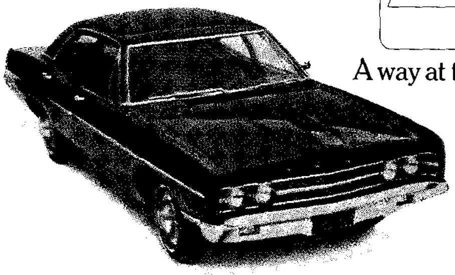

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statement—that the Supreme Court was out to "protect and liberate guilty and confirmed criminals to pursue and repeat their nefarious crimes"—Ervin got to his feet and said, "I ask the Senator from Arkansas if he does not agree with the Senator from North Carolina that members of the Senate who believe that self-confessed murderers, rapists, robbers, arsonists, burglars, and thieves ought to go unwhipped of justice ought to oppose this bill?" The Senator from Arkansas replied, "If I were in sympathy with the criminals, I would vote against the bill," and went on to warn his colleagues that they had "to stand up and be counted on the question: Do you favor turning the guilty loose, or are you going to stand for law and order and protect womanhood and decent citizenship in America and truly make our streets safe?" Bombast may be the rule in Senate debates, but not bombast of this sort, for members do not take kindly to outright bullying. In this case, however, the chamber was, as usual, almost empty, and the two men may have simply meant to enter material in the *Congressional Record* that they could later extract and send home for the edification of their constituents. However, Senator John Sherman Cooper, Republican of Kentucky and the most courtly man in the Senate, had made a special point of being on hand during the exchange because, he explained later, he was appalled by what he had heard about S. 917 and wanted to learn more about it. Finally, after Ervin and McClellan made several more statements about the motives and patriotism of anyone who might disagree with their views, Senator Cooper rose behind his desk and remarked, in a mild voice, "May I say . . . that some of us who expect to vote against Title II do not consider we will be voting against it in the context in which the Senator from North Carolina and the Senator from Arkansas place those who vote thus."

McClellan's most eminent supporter turned out to be Richard Nixon, who had just issued his first position paper on crime. Entitled "Toward Freedom from Fear," the paper accused the Supreme Court of "seriously hamstringing the peace forces" in favor of criminals and called for new laws to "redress the balance," and if the Court knocked them down for a Constitutional amendment to the same end. The proper response to crime, according to Mr. Nixon, lay not in cleaning up the slums, where it was bred, but in locking up more malefactors. "If the

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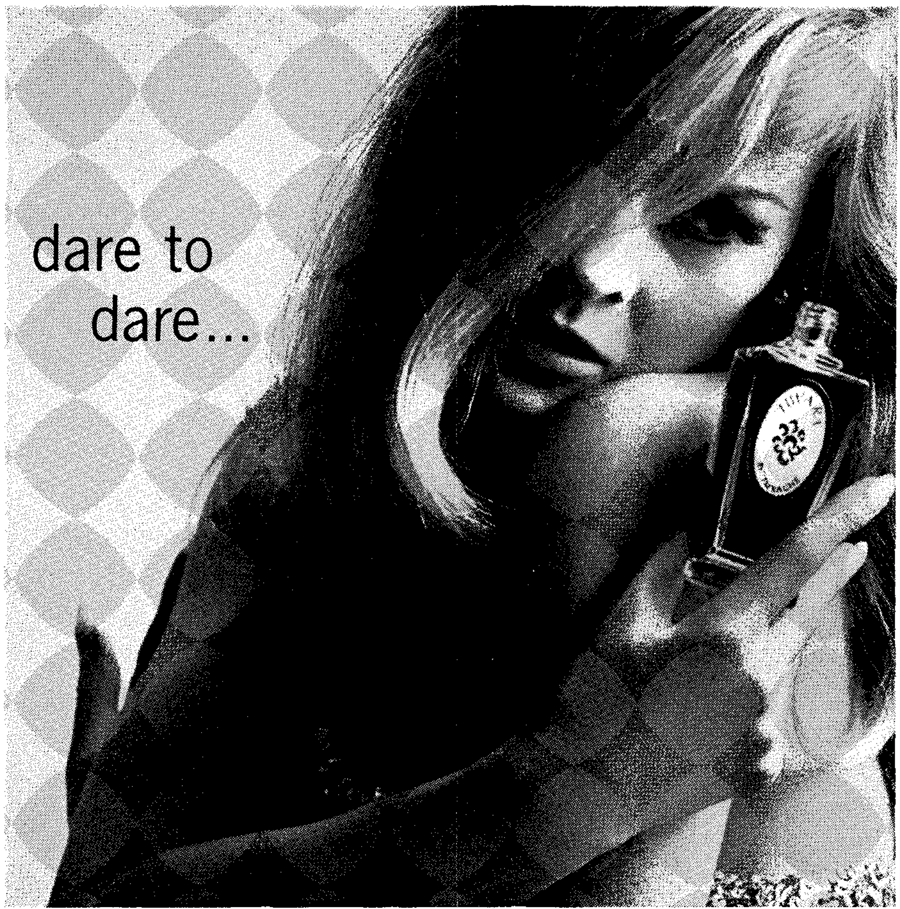
conviction rate were doubled in this country," he explained, "it would do more to eliminate crime in the future than a quadrupling of the funds for any governmental war on poverty." McClellan also placed in the record an endorsement of S. 917 by the National District Attorneys Association, along with similar endorsements by other groups and individuals—for the most part, the same ones he had included in the hearings record. Finally, he introduced dozens of letters from ordinary citizens around the country praising his efforts. One that he singled out for special mention came from a doctor in Norwalk, Ohio, who wrote, "In many of its recent decisions the United States Supreme Court has caused America and humanity irreparable damages," and enumerated, under headings, subheadings, and sub-subheadings, a score of them, including the damage caused when the Court "abrogated the powers of God," when it added "to the mental illness and emotional instability of the criminal," and when it "laid the foundation—very solidly—for the destruction of this—the greatest country God gave the world—ever!" Senator Stephen M. Young, an elderly Democrat from Ohio, who has been known to deal with crank mail by informing the correspondent that "some crackpot has been writing me letters under your name," took the floor and said that he knew the doctor, and added, "It seems to me astonishing and an indication of weakness that anyone would rest his case in part on a five-page letter from this man who is regarded as a nut." Grim-faced amid general laughter, McClellan stood firm and defended the doctor and his letter by reading more from it, which produced more laughter.

At times, the support of various colleagues also produced more embarrassment than help, as, for instance, when Ervin rose and contended that the majority of the Court's members "wedded themselves to the strange theory that no man should be allowed to confess his guilt, even though the Bible says, even though psychiatrists assert, and even though those interested in the rehabilitation of prisoners declare that an honest confession is good for the soul." Far and away the least helpful ally was Senator Russell Long, of Louisiana, the Majority Whip, who had once been a liberal demagogue and was now merely a demagogue. The American Bar Association had expressed the strongest opposition to the attacks on Supreme Court decisions contained in Title II—



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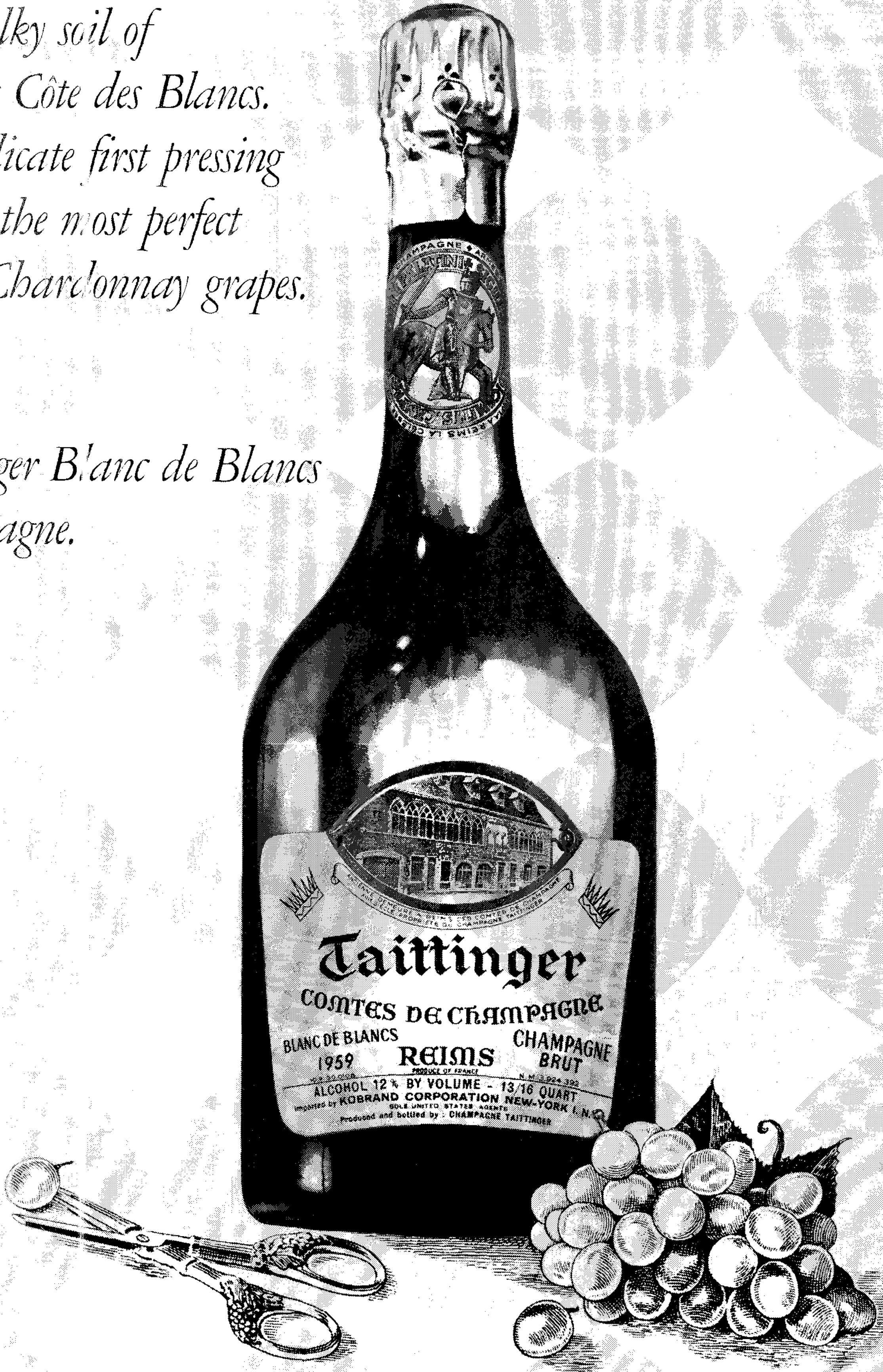
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an action that McClellan preferred to ignore as much as possible but that Long now brought up. He had been deeply puzzled by the Bar Association's stand, he told the Senate, until he realized that its members "have a vested interest in crime and naturally they would be in favor of striking Title II, because they are in favor of crime." Driving his point home, he added, "They make money out of that." Long also said he had been equally puzzled by opposition from other quarters, and had finally concluded that "it might be a Communist plot to destroy America." Going on to say that "penitentiaries are being emptied these days because of this foolish [Miranda] rule," he warned that things would be far worse in "the new society" if the bill's opponents had their way, because "liberal thinkers would have [made] it absolutely impossible to convict a murderer, arsonist, rapist, or assassin," and "in fact, it would be utterly impossible to convict anyone."

Senator Edward Kennedy had been scheduled to lead a good part of the effort on the floor to strike, or at least weaken, Titles II and III and to strengthen the gun-control provisions of Title IV, but when Senator Robert Kennedy announced that he was a candidate for the Presidency the younger Kennedy told Hart and the others who hoped to bring about fundamental changes in S. 917 that he would be obliged to spend most of his time in the campaign. However, he periodically returned to Washington for important votes, the first of them being one on Title IV, which McClellan, as floor manager of the bill, brought up on May 16th, after two weeks of disconnected and largely unattended debate on all parts of the "omnibus" bill. (McClellan's strategy here was to hold Title I, which the Administration was most interested in getting through, as a hostage to the end, so that the executive branch would not lobby too vigorously against Titles II and III; if it left him pretty much alone, McClellan had promised the Administration earlier, he would not support the block-grant approach added to the bill in the House, which Hruska and his Southern colleagues still hoped to add to the Senate's version.) The key vote was on an amendment that Kennedy had submitted to add rifles and shotguns to the regulations proposed for the sale of revolvers and pistols. No more than a few residents of outlying and lightly populated areas could possibly be put to any hardship if the law was expanded to include long guns,

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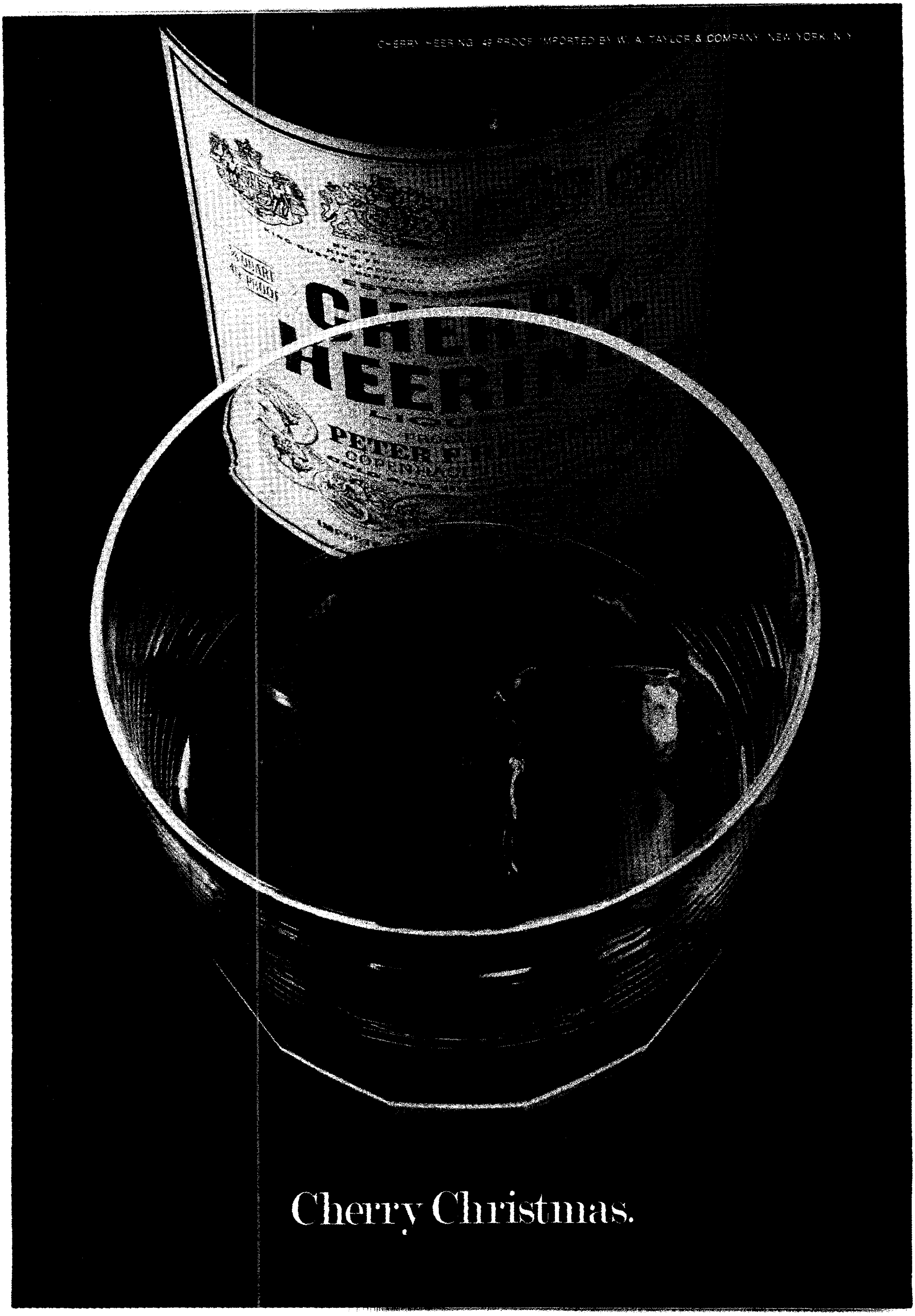
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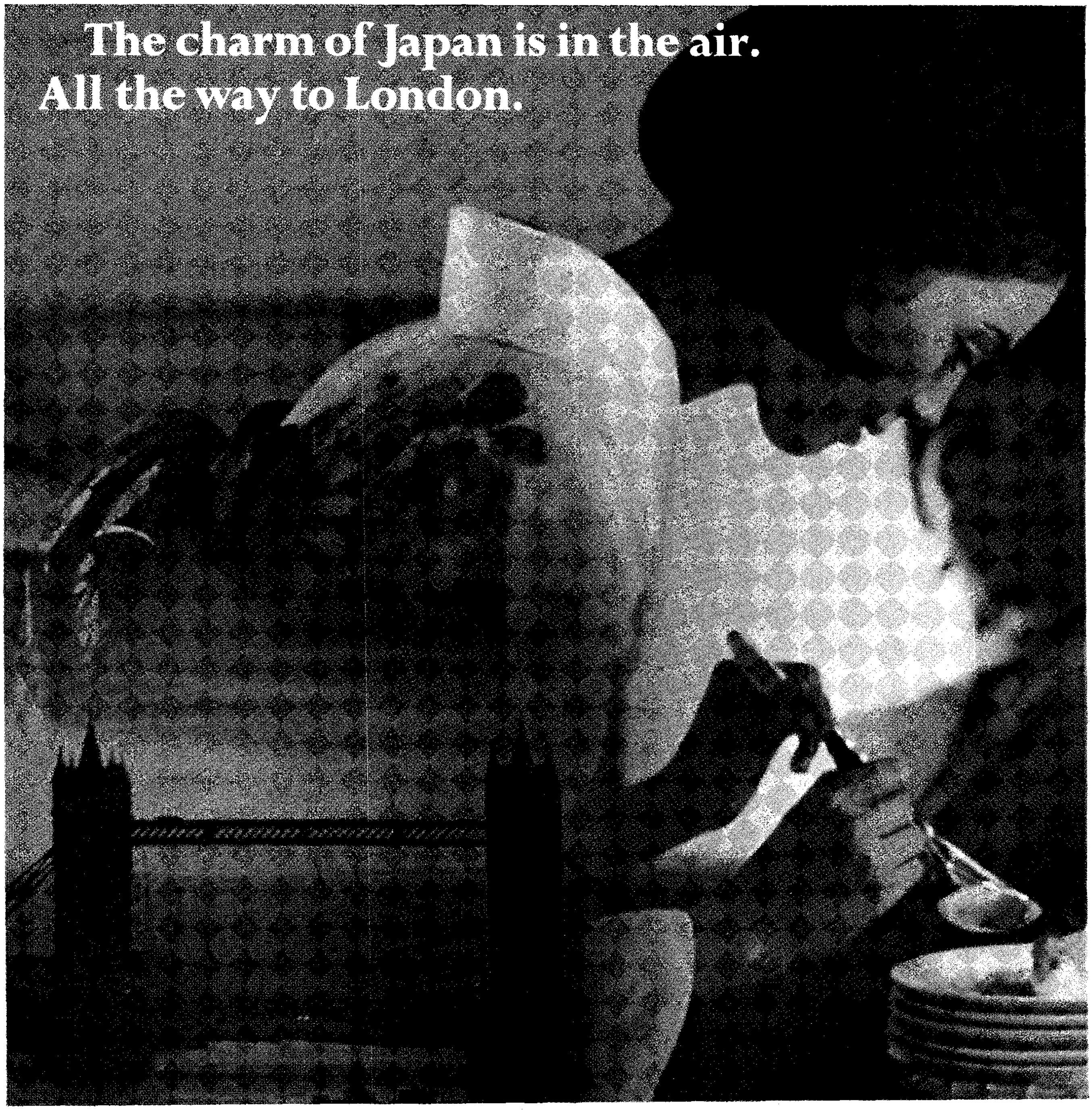
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Kennedy told the Senate. "I think that handful of people would be willing to make a slight extra effort in purchasing their firearms in order that two hundred million Americans can sleep and walk and work and play with greater peace of mind," he continued. "That is the question before us, and the results of the way we answer today will be measured in lives saved, robberies avoided, injuries prevented, and snipers disarmed. If we are really serious about doing something about crime and riots and violence, here is our chance." The Senate, under heavy pressure from legions of sportsmen who had been provided by the National Rifle Association and various gun magazines with everything but the facts, turned down the chance by a vote of fifty-three to twenty-nine. (After the assassination of Robert Kennedy, the Senate passed the same bill by a vote of seventy to seventeen.)

Those senators who hoped to defeat Title II and its implicit threat to the Constitution looked to Senator Hart, who had begun to emerge as a leader of the liberal forces in the Senate, to lead them in the campaign against that part of the bill. However, Hart had spent most of the late winter and the early spring leading them in a campaign to enact an open-housing measure, and after eight weeks of constant infighting on the floor—which resulted in a one-vote victory on a motion to impose cloture on a Southern filibuster and, finally, passage of the measure—Hart was exhausted and asked to be excused. In the end, the job fell to Senator Tydings, who, though less skilled than Hart in parliamentary maneuvering, was equally determined to block passage of Title II. "Proponents of Title II urge that it should be enacted to assist in the battle against crime," he said at the start of his presentation to the Senate. "I challenge the assertion. Title II is an attack on the federal judiciary and is not a law-enforcement measure." Although the bill's defenders contended that it would clarify the duties and rights of policemen, prosecutors, and judges, he went on, actually it would create hopeless confusion for them, since they would have to decide, by way of endless discussion and fresh litigation, whether they would abide by the Constitution as interpreted in such cases as Miranda and Mallory or would set out on their own. If they set out on their own, they would have to establish new standards to test the voluntary or involuntary nature of confessions. Tydings illustrated this by saying, "In each

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jurisdiction, and in each case, the police must in the first instance address such questions as: 'Shall we bring the accused promptly before a magistrate, or shall we continue the interrogation?' 'How long may we continue?' 'How much should we tell a suspect about the charge we are considering?' 'Should we warn him of his right to remain silent?' 'Should we tell him of the consequences of any statement?' 'Should we tell him of his right to counsel?' 'Should we honor his request if he asks for counsel?' 'Should we delay questioning until counsel arrives?' 'Will answers we get without one or more of the above warnings be worth anything in court, or on appeal, or after some future test of Title II's Constitutionality?' " He added, "Each prosecutor must ask similar questions before proceeding. . . . Each trial judge must decide anew—balancing Title II, Mallory, Miranda, and his conscience—whether to admit or deny evidence, or to acquit or convict a person prosecuted with questionable evidence. Each appellate court, perhaps without the benefit of Supreme Court resolution of such issues, must struggle anew with questions now nearly settled prior to the introduction of Title II." As for McClellan's favorite charge that the courts had released the guilty to prey on the innocent, Tydings told his colleagues that the effect of a case like Miranda in this regard would be paltry compared to the effect of Title II. "Ultimately, vast numbers of arrests and convictions made in reliance on Title II would be invalidated by the courts," he argued. "At this point, retrials will in many cases be impossible; witnesses will have died, memories faded. Convicted criminals will be turned out on the streets, and it will be the Senate, not the courts, who will be responsible."

Tydings also addressed himself at length to the contention, made repeatedly by McClellan and his followers, that the number of confessions given to police had fallen off precipitously after Miranda, and that the result had been that the work of law-enforcement agencies had been hampered and countless criminals had been freed. "It is an argument which is popular and appealing, but it is not factual," he said, and went on to cite three studies that had not been available to the subcommittee when McClellan bore down on this subject during the hearings. The first was made at the Yale Law School. Over a period of three months after the Miranda decision was handed down, members of the school's law re-

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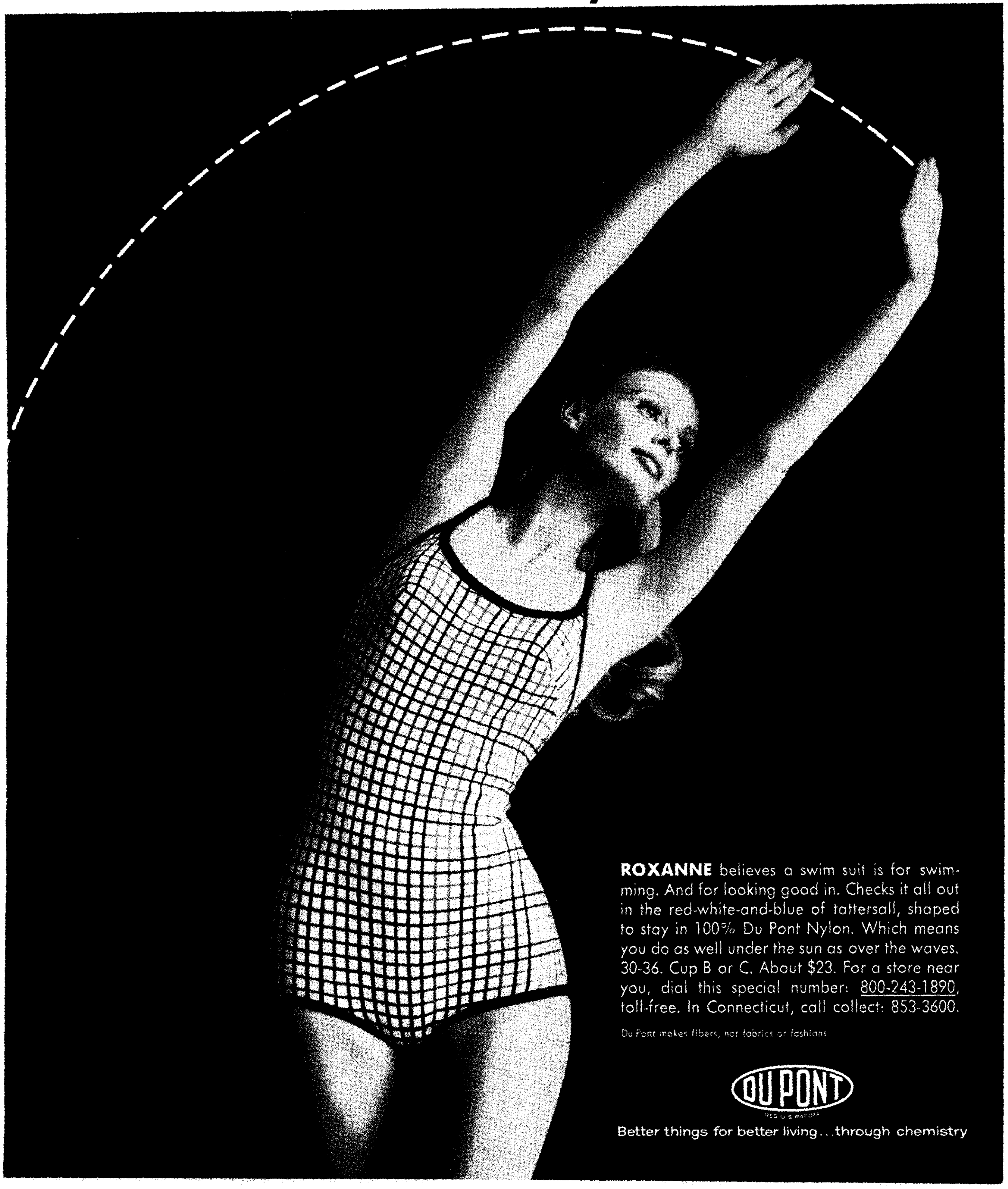

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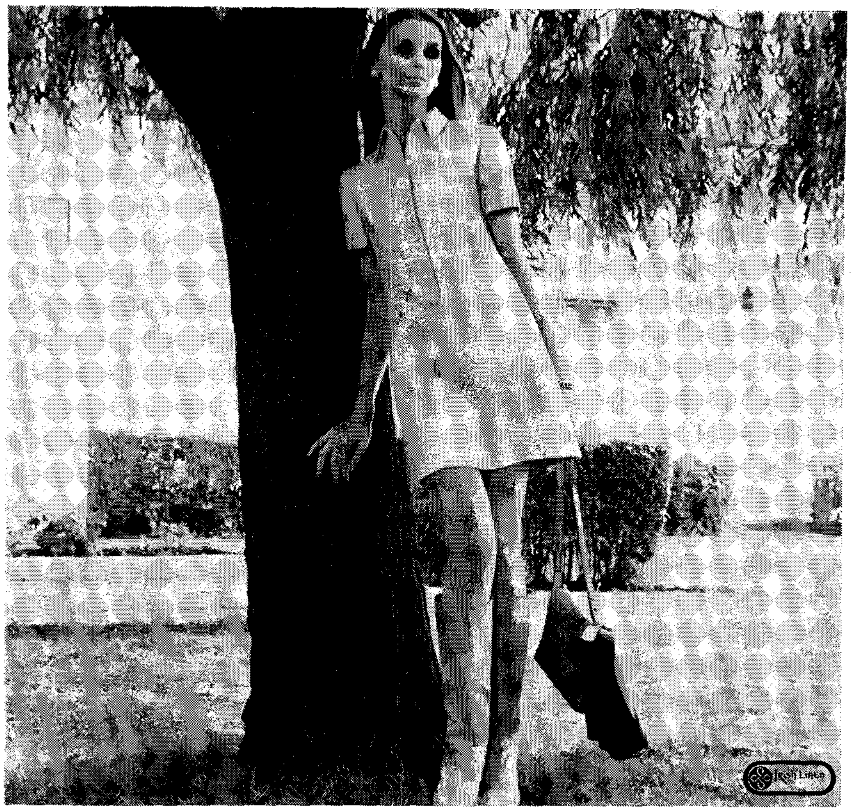

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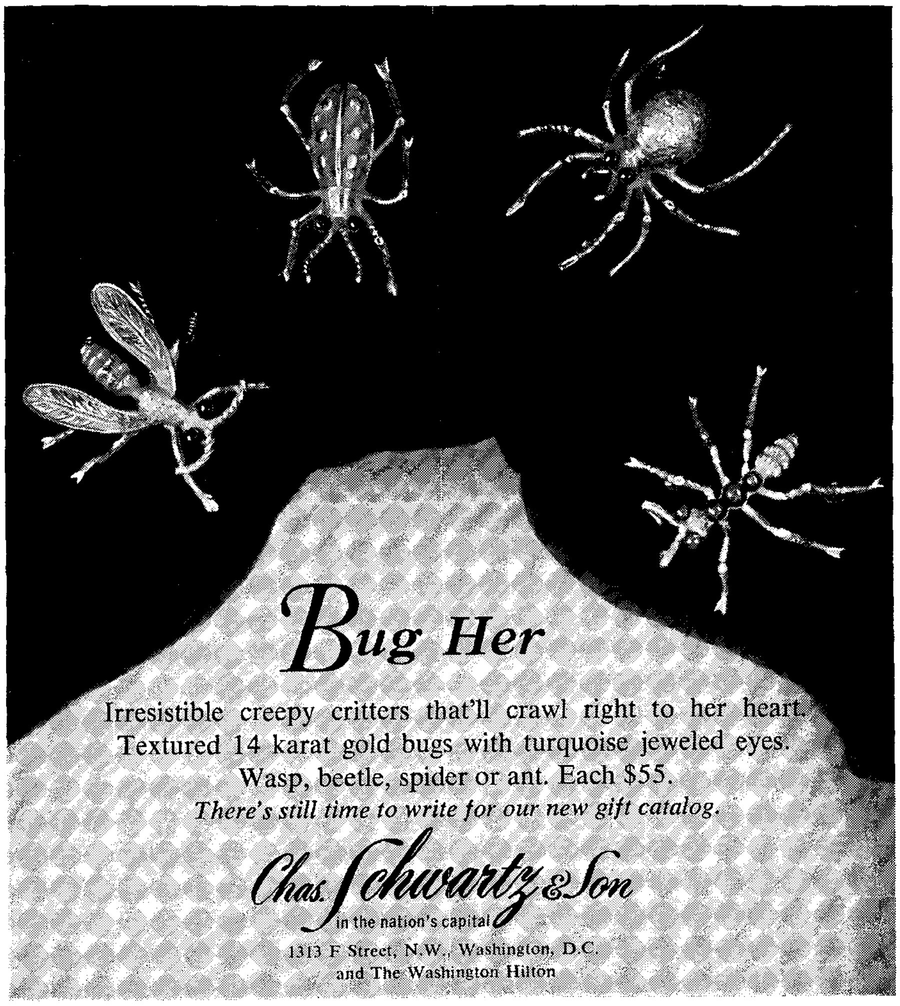

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view sat in on every police interrogation of a criminal suspect in New Haven and, all together, followed a hundred and eighteen cases from interrogation through trial. In eighty-seven per cent of them, they found, the question of confession was irrelevant, since in these cases suspects' statements were not used in evidence. They also found that some of the New Haven police failed to give the warnings required by the Miranda rule and although one-third of the suspects who were not warned made statements, an even larger proportion—fully one-half—of those who *were* warned also made statements. The second study was conducted by the faculty of the University of Pittsburgh Law School, who relied on police and court records rather than on observing the questioning process. These records showed that the number of confessions in the Pittsburgh area had indeed fallen off after the Miranda decision was handed down—by seventeen per cent—compared with a similar period before the decision. But the investigators also found that during the study the conviction rate had remained constant, and that there was still sufficient evidence to hold all but one of the seventy-four suspects who refused to make statements after being arrested. Most important of all, the Pittsburgh study revealed that the rate of "crime clearance"—that is, the number of cases disposed of, with or without a trial, compared with the number of crimes committed—was the same after the Miranda decision as before. The third study Tydings described to the Senate, one conducted at the Georgetown University Law Center, in the capital, over a period of a year, reported that the rate of statements given before and after Miranda in some fifteen thousand cases was the same. Finally, Tydings added, the F.B.I., military courts of justice, and most federal agencies had been using warnings like the one laid down in Miranda for many years and still had maintained far higher rates of conviction than other law-enforcement divisions.

Since McClellan hadn't invited any Constitutional experts or professors of law to give their views of Title II during the hearings, Tydings made up for the omission by soliciting some by letter. Ultimately, he heard from two hundred and twelve legal scholars, including twenty-four deans, at forty-three law schools; all of them condemned Title II. "The effort to legislatively overrule Miranda is unfortunate and illegal," wrote Joseph

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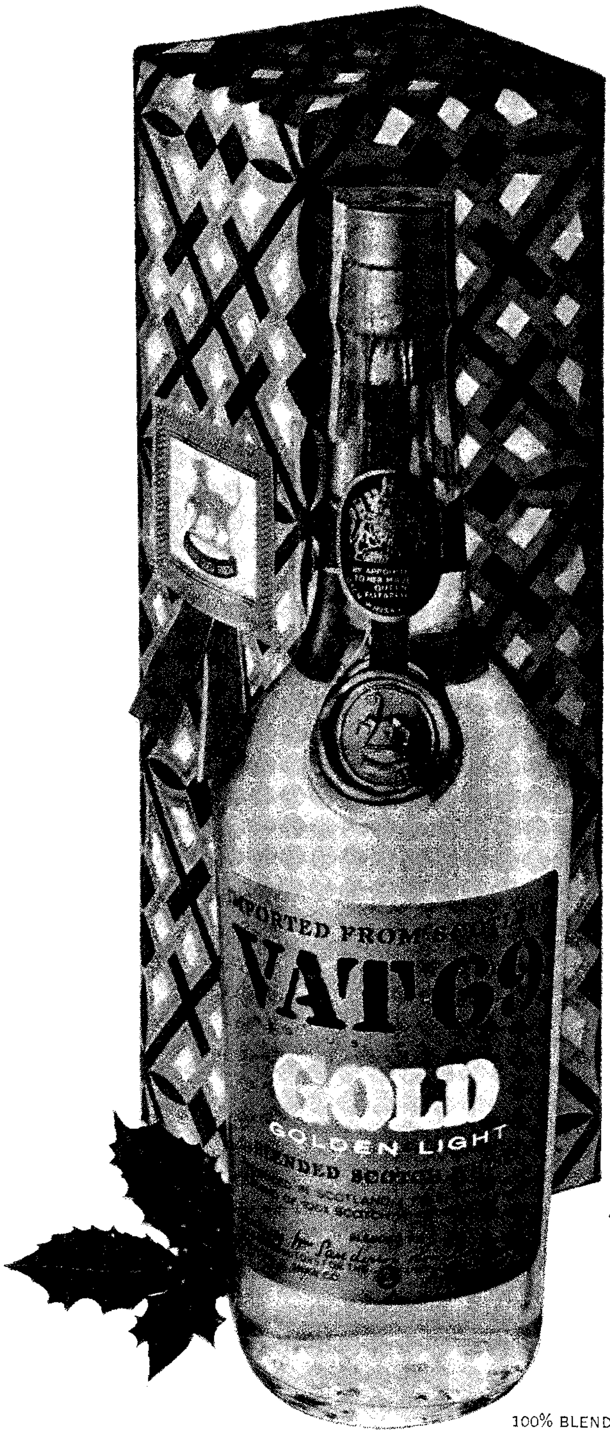
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O'Meara, dean of the Notre Dame Law School. "Unfortunate because Miranda, when all is said and done, does no more than extend to the poor and stupid what the wealthy and sophisticated have had all along. Illegal because it attempts to amend the Constitution by statute, which is a legislative version of what Senator McClellan accuses the Court of." Archibald Cox, a professor at the Harvard Law School and former Solicitor General of the United States, wrote that it was "an exceedingly dangerous precedent for the legislative branch to overturn Constitutional decisions of the Supreme Court," and added, "We live in times in which it is increasingly difficult, yet increasingly important, to maintain the rule of law. I suggest that it would encourage disrespect for law for the Congress to use political power to shut off access to normal judicial process as a method of preventing the enforcement of the Constitution." And the writers uniformly agreed with Hardy C. Dillard, dean of the University of Virginia School of Law, when he stated that "at this juncture in our national life, the last thing we need is to generate an added sense of instability by stimulating a dispute between the Congress and the Supreme Court." The Judicial Conference—headed by the Chief Justice of the United States and composed of all the chief judges of the federal courts—declared its opposition to Title II. The American Bar Association had already taken the same stand, and now its largest local subsidiary, the Bar Association of the City of New York, did, too, saying, "We most strongly urge that the Senate reject Title II."

The opposition to Title II was as bipartisan as the support for it. On May 21st, the day that it was scheduled to be voted on, Senator Edward W. Brooke, Republican of Massachusetts, rose to speak against it. As a former state attorney general, he was probably as familiar as anyone in the Senate with law-enforcement methods, and, as a Negro, he was probably more familiar than anyone else in the Senate with how those methods could be used against the underprivileged. First, he asked whether his fellow-senators were ready to "succumb to a panic which threatens to disrupt our deliberations, which strikes out not at crime but at the courts, which honors 'order' but condemns the Constitution—and which, despite all the claims to the contrary, can have no appreciable effect upon the problem of crime in these United States?" He went on,

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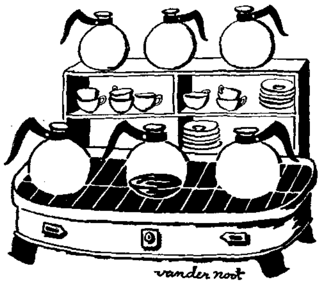
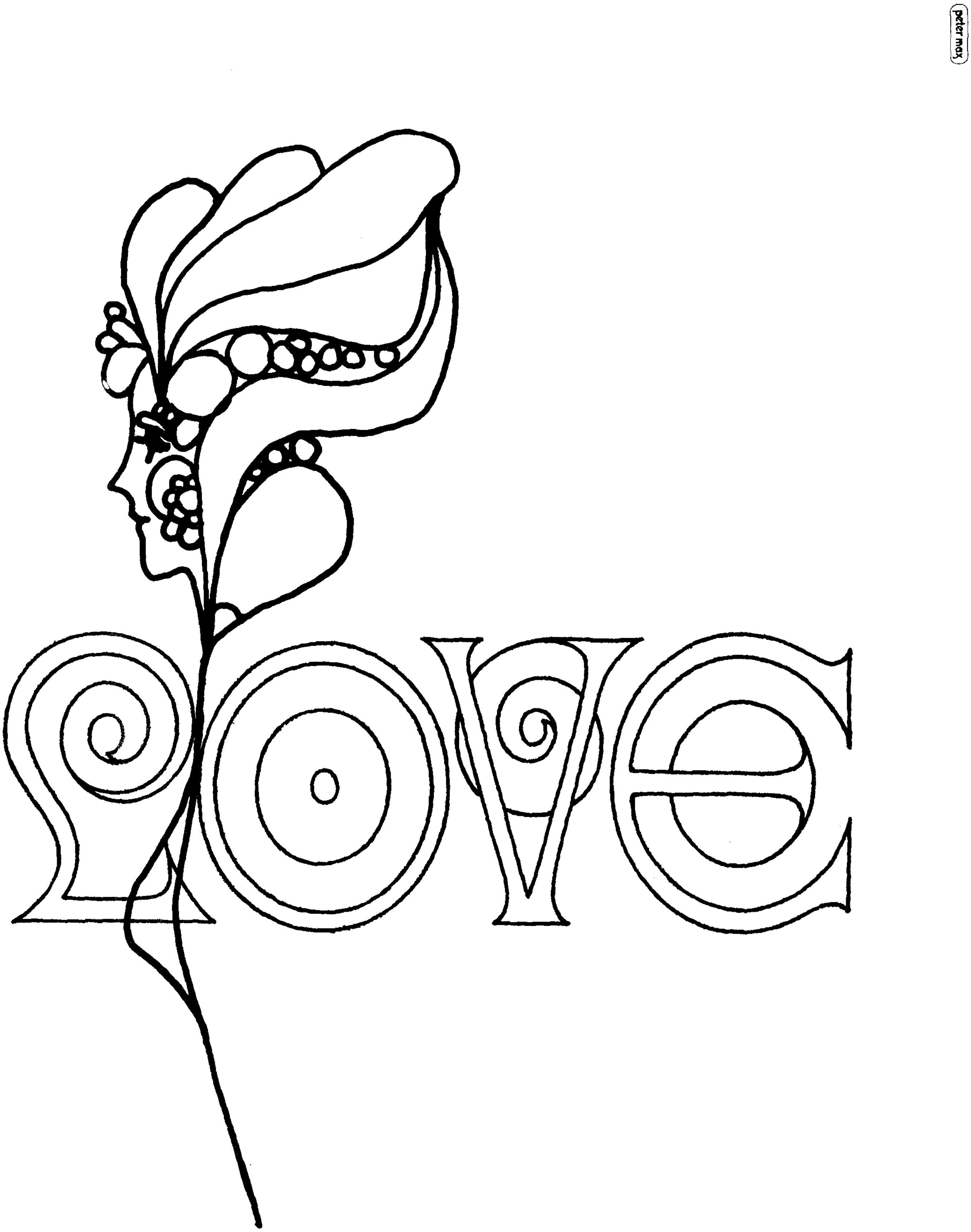
"The proponents of Title II of this bill would like to persuade us that their argument is with a handful of men who presently sit on the Supreme Court. In actual fact, Mr. President, their argument is with the doctrine of separation of powers, with the federal system, and with our entire structure of government." Across the aisle, Lee Metcalf, Democrat of Montana, who had been a judge on that state's supreme court, took the floor to remind his colleagues that the Constitution was the *final* law of the land and that the Supreme Court was the final arbiter of what that law meant. "When the Supreme Court misjudges legislative intent, misconstrues legislative language, or points out that a statute is indefinite or obscure, then we, as legislators, have the duty and obligation to examine the decision and correct the wrong legislative interpretation, redefine the crime, or clarify the language," he said. "But Title II of S. 917 does *not* confront us with either questions of statutory interpretation or a determination of legislative intent. What is at stake here is the *inherent right* of the Supreme Court to review cases which on their facts present Constitutional questions." One of the effects of such a law, he added, would be a compound fracture of authority, for each of the fifty jurisdictions—the states—would then be able to interpret the Constitution as they pleased. Back on the Republican side, Senator Fong got up to say that a law of this kind would "set an extremely bad precedent" and would encourage Congress to enact "similar legislation whenever the Court handed down a decision with which Congress disagreed."



One point on which opponents of the bill agreed was that the Administration's lobbyists had accomplished far less than had been hoped for. Their principal efforts, it became clear, were aimed at getting rid of the block grants in Title I (which they did not accomplish), keeping that title under the Justice Department's control (which they accomplished, by persuading the Senate to put the three-man board under the Attorney General), providing federal money to supplement the salaries of local policemen (which they accomplished, over the bitter objections of the Southerners, who feared that this form of federal largesse would be used to push integration in police departments), and retaining in the bill permission to use part of its funds for police-community relations—that is, in efforts to lessen friction between local police and ghetto residents (which they accomplished, again over the Southerners' opposition). They also made some attempts to cut out the worst parts of Titles II and III, but, according to a veteran aide of one senator who had the same aim, without much success. "We kept trying to get a decent bill, and Mike Manatos, the White House liaison man on the Hill, kept screaming that they didn't care what kind of a bill they got, just so it was called a crime bill," he said. "McClellan kept telling everybody that the President was not against Title III, and others kept saying that he would accept Title II if the worst parts of it were thrown out. The White House kept denying both statements, but, in any event, the President was less than helpful. He attacked Congress about its failure to enact a stronger gun bill, but he said very tepid things about Titles II and III. The cat was out of the bag then that he wouldn't veto the bill. That was very destructive to our efforts. There was none of that Presidential muscle that could have made it a real race—either through appeals to the people or some phone calls to key senators. As far as I heard, he didn't make a single call over here. And when the bill came to a vote, I never saw anyone from the White House. I guess after the President withdrew from politics everybody else over there did, too."

One of the efforts made by the Administration was to estimate the final vote on a *motion to strike* Title II, which, it told the opponents of that section, was going to be very close. On the basis of this head count, James Flug, legislative assistant to Edward Kennedy, got in touch with his boss, who was in Oregon campaigning for his brother, and urged him to return for the vote. The Senator did, and shortly before the roll was called he rose on the floor to explain his vote. "Mr. President, each member of Congress recites an oath upon taking office," he said as he stood behind his desk at the rear of the chamber. "He swears to support and defend the Constitution of the United States. Today, each of us has the chance to impart substance to that oath. In essence, we are asked today to determine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whether basic Constitutional precepts which lie at the heart of our freedom and our democracy shall be preserved or dissolved. We are asked to decide whether that yellowed document in the Archives, that treaty between ourselves and our forefathers, is to be adhered to or renounced. We are asked whether we have found some substitute for due process of the law, for the assistance of counsel, for the accusatory rather than the inquisitory system of justice, for the great writ of habeas corpus, and, finally, for the Supreme Court as final arbiter of law and guarantor of justice. For it is these keystones in our tradition of ordered liberty which are threatened here today. They are not threatened because they are obsolete, anachronistic, unworkable, unjustified, or unneeded. They are threatened because some Americans have panicked about crime and want scapegoats to flay and panaceas to grasp at. They are threatened because other Americans want revenge against a Constitution and a Court which denounced prejudice and discrimination in large segments of American life. They are threatened because this is a Presidential year, and it is so easy to play politics with questions of law and order. It is ironic that those who rail the loudest about obedience to law as an unshakable absolute, those who inveigh against civil disobedience in all its forms should be in the forefront of an effort to violate the Constitution and rob the Supreme Court of its power. . . . How can the poor feel they have a stake in a system which says that the rich may have due process but the poor may not? How can the uneducated have faith in a system which says that it will take advantage of them in every possible way? How can people have hope when we tell them that they have no federal recourse if they run afoul of the state justice system?"

The motion to strike Title II was defeated not long afterward by a vote of fifty-one to thirty-one—a result that astonished even the title's most optimistic supporters, not to mention the Administration's head-counters. Some of those who voted against the bill ascribed their defeat to the opposition's fear of antagonizing the electorate. A member of the minority later described how he and several other senators had pleaded with a liberal colleague, who was up for reëlection, Abraham Ribicoff, Democrat of Connecticut, to join them, only to be turned down with the explanation "Confessions are good. We need confessions." Others saw deeper reasons. One Senate observer,

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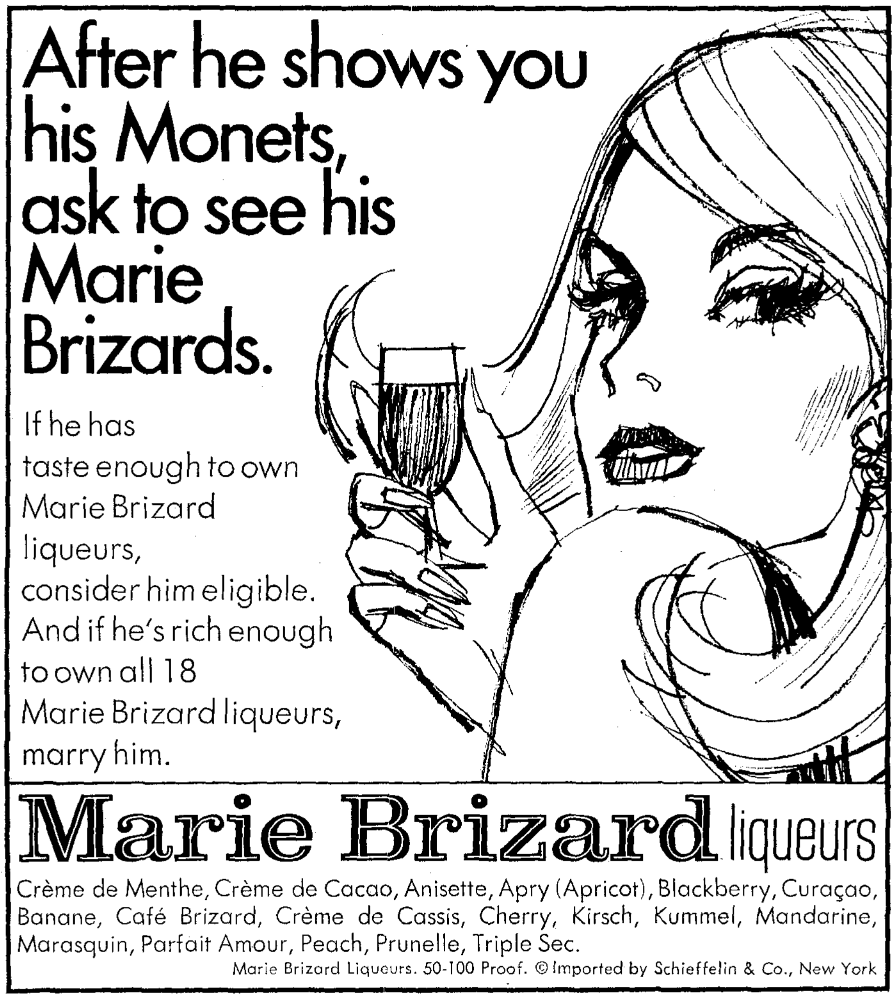

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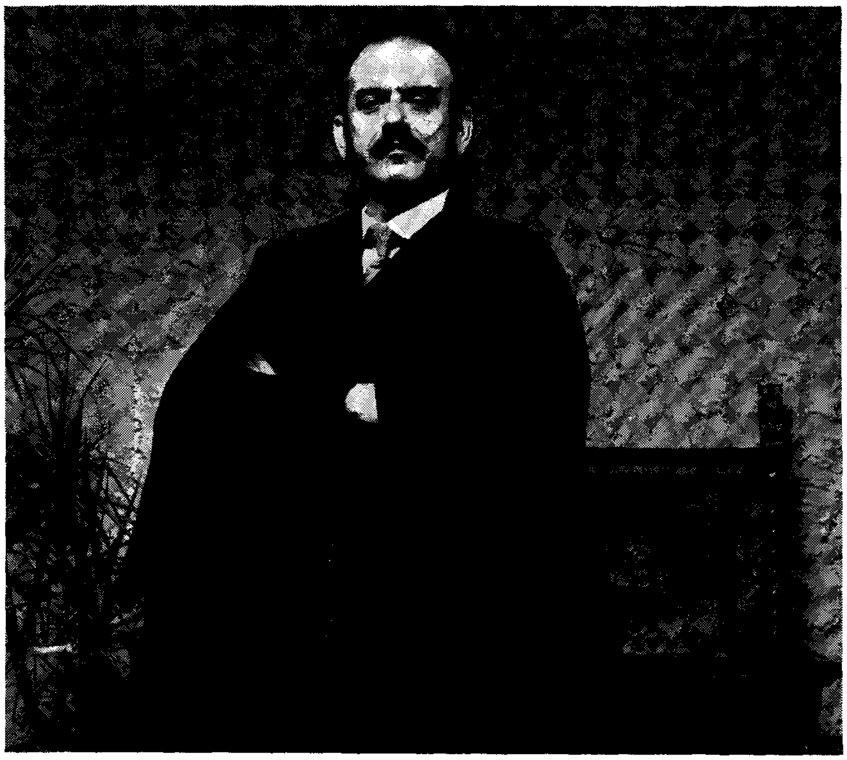
who had been on the floor, in the cloakroom, and along the corridors during much of the debate, put the vote down to what he called "the unsubtle air of racism that prevailed throughout it." Senator Hart got up to say, "Tomorrow's headlines will report our action in a certain fashion. Historians will view it, I think, in an entirely different light. . . . When they get around to writing history, rather than just tomorrow's reassurance to America that we are going to be tough on crime, it will become clear that the Senate made a tragic mistake today. History will tend to interpret today's Senate action in the form of a question: 'Can America afford to extend the protection of the Bill of Rights to all Americans?' "

The next step was to break Title II down into its various parts for a separate vote on each one. McClellan suggested that the debate be limited to twenty minutes per part, with ten minutes for each side. Dirksen broke in and said, "I see no reason why we could not vote right now," whereupon McClellan proposed two minutes to a side. Tydings protested that ten minutes was needed just to inform the members what they were voting on, and Hart said, "Ten minutes is not too long to discuss what we will do with the writ of habeas corpus." Apparently impressed by that argument, Dirksen offered him five minutes. Hart refused, saying, "It just struck me that if anybody does dig back into this *Record* and sees that we allowed ourselves only five minutes apiece to decide what we wanted to do with what the Court has told us the writ of habeas corpus is supposed to mean, it would look a little hasty." With that, Dirksen smiled and, "yielding to the gentle persuasion of my friend from Michigan," agreed to ten minutes to a side.

A motion to strike the section reversing Miranda lost by a vote of fifty-five to twenty-nine; a motion to strike the section reversing Mallory lost by fifty-eight to twenty-six; and a motion to strike the section reversing Wade lost by sixty-three to twenty-one. After the initial vote on Title II, these margins were less shocking to those who had expected a close vote, but the lack of support for the Court led some of them to wonder if the members of the Senate realized what they had been voting on. One aide said he believed that at least half the senators were confused on important points, and explained, "When the roll-call bell rings and a senator goes down to the cham-



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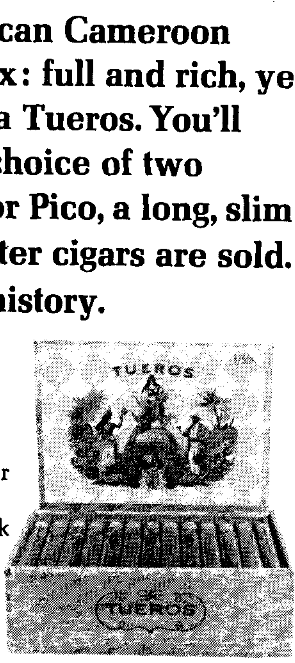

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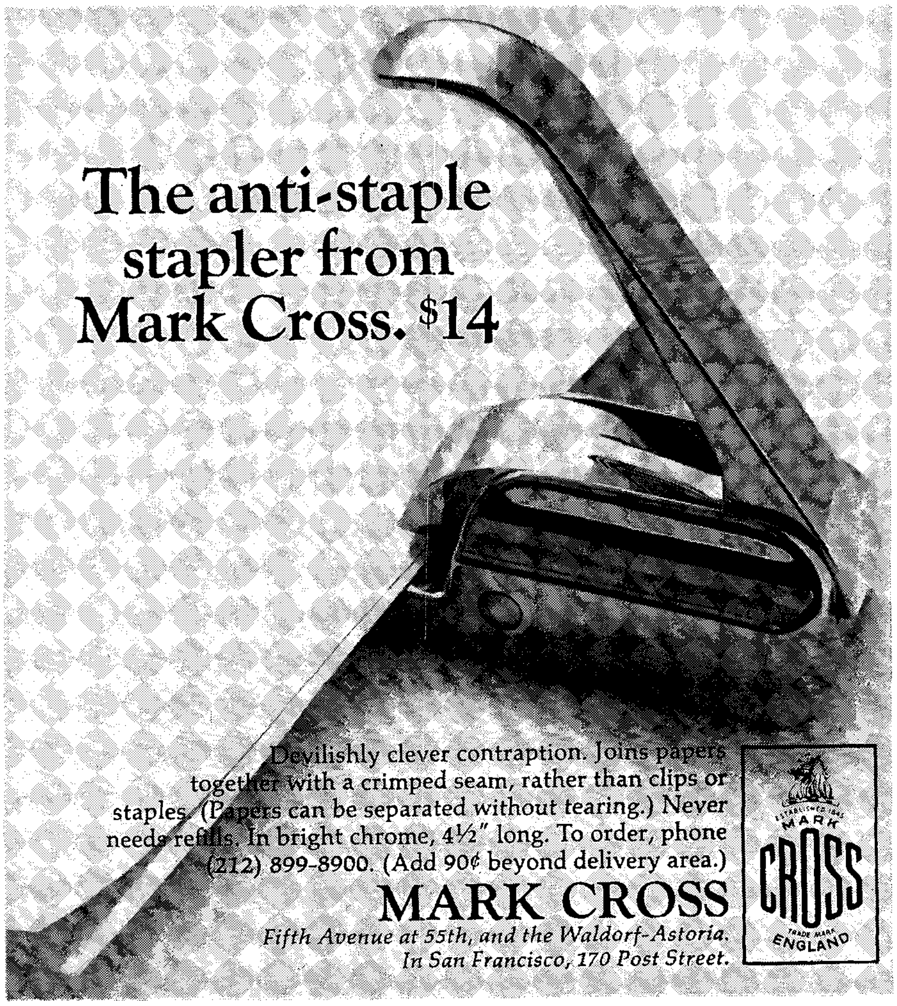

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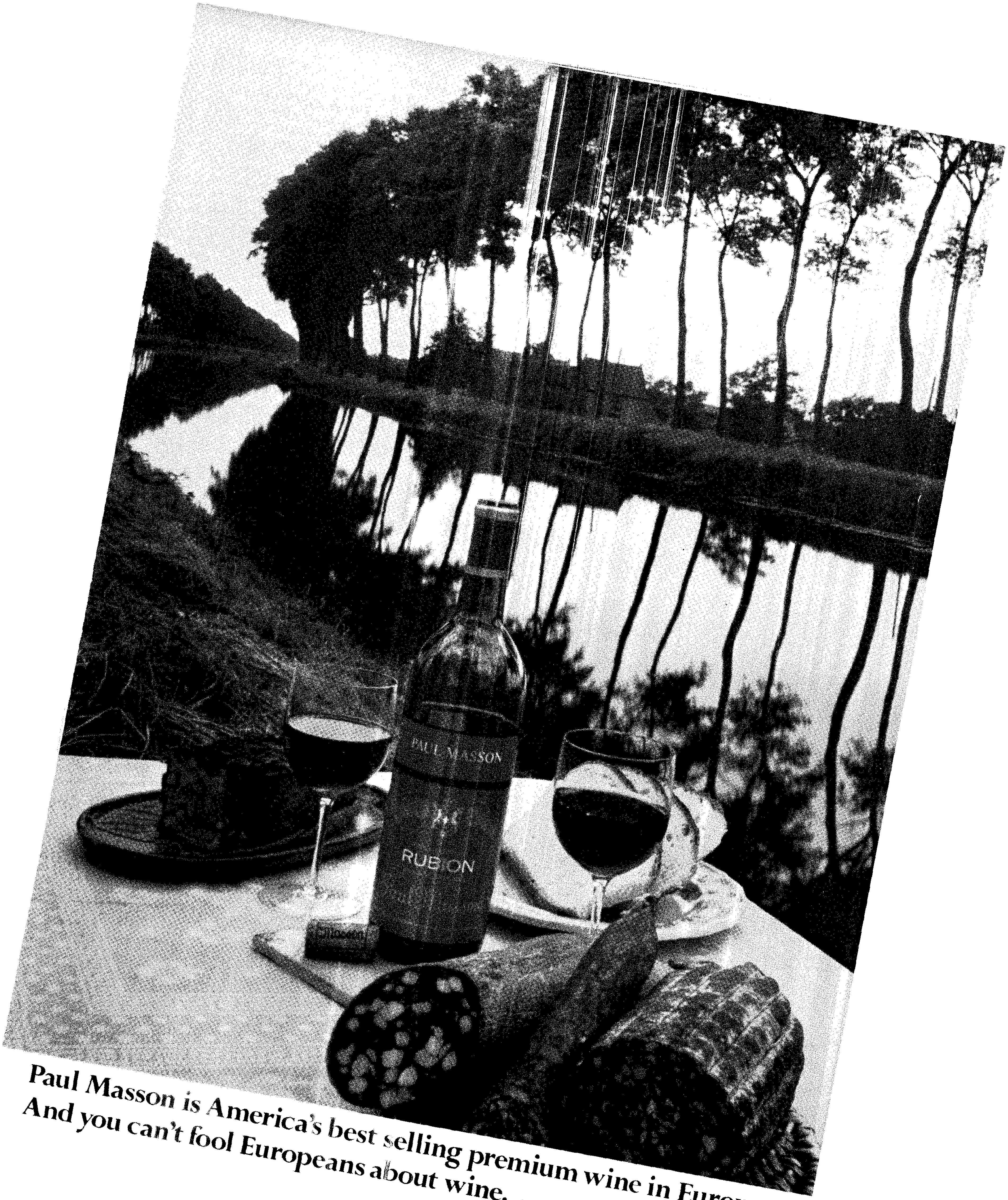
ber, he often stops a staff man who's familiar with what's being voted on and gets filled in on it. If he doesn't get a satisfactory answer in sixty seconds, he's likely to walk away and maybe vote willy-nilly." The senator this staff man worked for agreed with this unsettling description of the legislative process, except that in this particular case he put the fraction of his colleagues who didn't understand what they were voting on at three-fifths. But other senators who expressed an opinion on the subject felt that the votes were cast in full awareness of the meaning of the legislation. "The senators were wrong and knew it," Senator Hart said, and he cited the succeeding votes on the Ervin amendments that were most flagrantly unConstitutional. The one to eliminate Supreme Court jurisdiction over confessions in federal trials lost by a vote of fifty-two to thirty-two; the one to accomplish the same purpose in state trials lost by fifty-one to thirty; and the one to abolish writs of habeas corpus to federal courts lost by fifty-four to twenty-seven; even the section reversing Mallory, which had been retained, was limited by a stipulation that a suspect could not be questioned more than six hours between the time he was taken into custody and the time he was arraigned. Much of the imbalance in the votes won by McClellan and his supporters was laid to the Administration's failure to line up its followers. It was one thing for the Majority Whip to go down the line for the McClellan bill, for even Russell Long cannot depend on Russell Long, but it was quite another for Majority Leader Mike Mansfield to go down the line with the conservative coalition. Some observers and participants ascribed Mansfield's behavior to the Administration's failure to enlist his, or anyone else's, support against even the worst parts of the bill, while others felt that he simply had no idea of the issues at stake. One holder of the latter view said that Mansfield had turned to him during the debate and remarked, "I'm glad I'm not a lawyer and don't have to worry about all these legal points," and then proceeded to enact a law.

"I CAN only say of this proposed legislation, Mr. President, that it leaves me aghast," Senator Morse said as the debate on the eavesdropping provisions of Title III began. "It is the open and clear invitation to virtually universal bugging and electronic spying upon the American people by federal, state, and municipal police." And Sen-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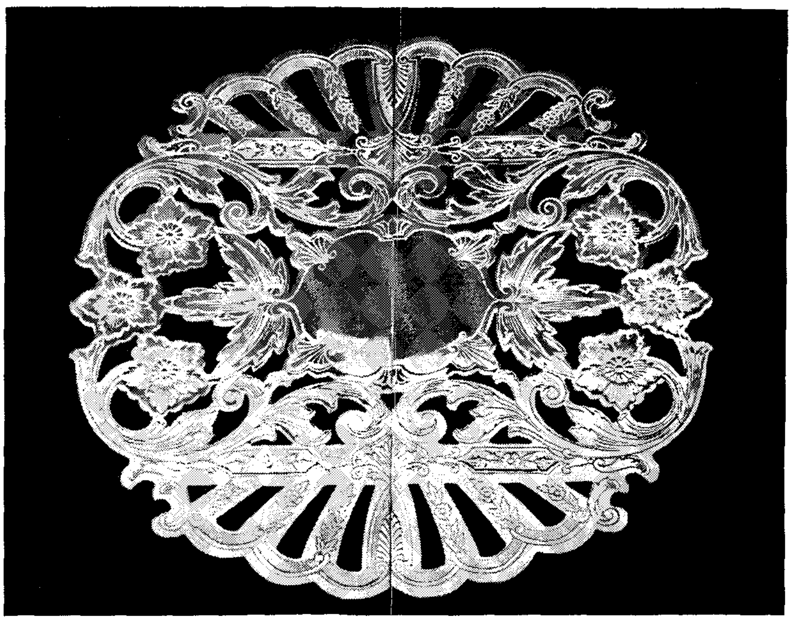
COME VISIT PAUL MASSON VINEYARDS, SARATOGA, CALIFORNIA ©1968 ator Ralph Yarborough, Democrat of Texas, got up and begged his colleagues to reject the invitation. "The Senate has opened a Pandora's box of inquisitorial power such as we have never seen in the history of this country," he said, his voice shaking with emotion. "I think this is the worst bill I have ever seen since I have been a member of the Senate." Across the aisle, Senator Cooper took the floor to point out that the Bill of Rights had been devised specifically to protect the individual against his government, and added, "Now we are setting up, for the first time in this country, an instrument of surveillance which can be misused to reach every individual." Another Republican, Senator Fong, joined in, charging that the bill should have properly been called not the Right of Privacy Act but the End of Privacy Act, for if it passed "it would not be long before the authoritarianism of police rule would be substituted for the authority of law and the majesty of due process." Senator Edward Long, of Missouri, who had spent the better part of three years investigating official abuses of such surveillance and two more years conducting hearings on what he had found, reminded his colleagues of a potential misuse that many of them already knew about but preferred to ignore. "In every metropolitan police department, in almost all of the larger state police departments, and in an alarming number of federal law-enforcement agencies, there is a small cadre of men designated the 'criminal intelligence' activity," he said. "This activity has no specific responsibility for any single crime which has been or is being committed. Its primary fascination is with crimes that are about to be committed. In the pursuit of this fixation, millions of scraps of information—quite frequently gossip—are swept up, evaluated, and stored for some future use. Theoretically, all of this information should tend to furnish some patterns of active criminality. In fact, this activity picks up a lot of embarrassing information on almost everybody in town." Long went on to say that the bill provided the police with a pretext for listening in on anyone who was remotely connected with somebody who was remotely connected with a criminal or a crime, which included just about everyone. And, as an example of the sloppiness with which the law had been drafted, he singled out its definition of the kind of "serious crime" that had to be involved before a tap or a bug could be used—that is, any offense



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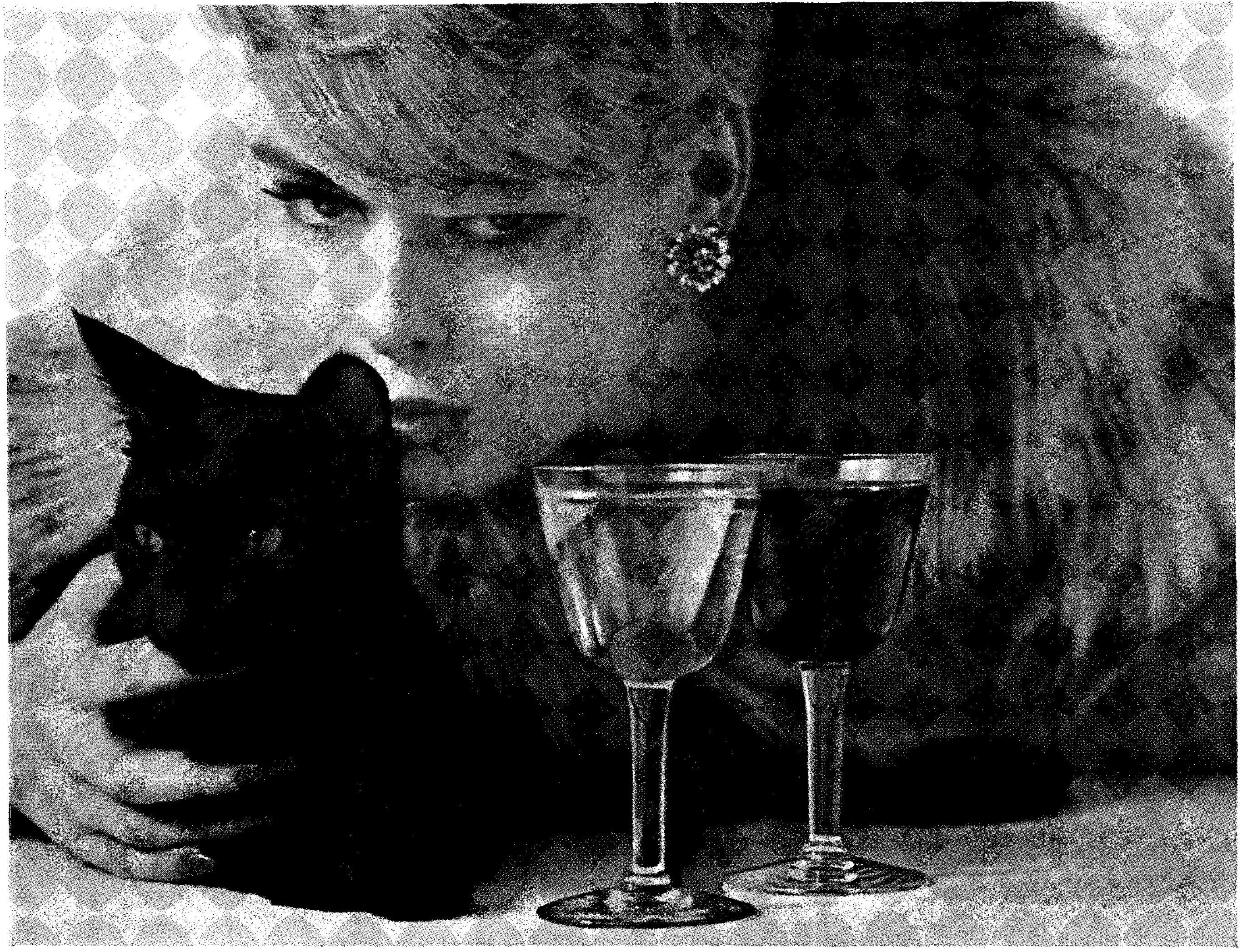

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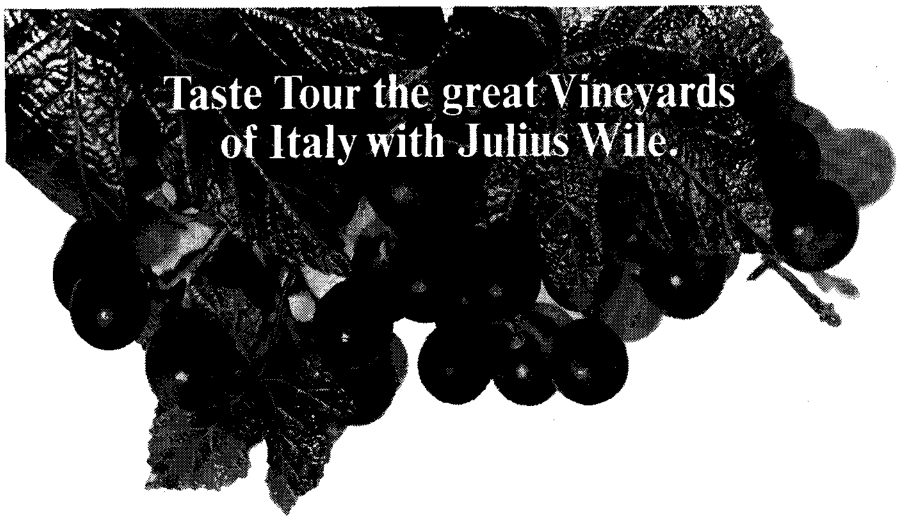
punishable by a year or more in prison. In various states, he continued, penalties of that length were meted out to anyone found guilty of gambling, illicit cohabitation, slander, cruelty to animals, seduction, prizefighting, possessing a gaming device, operating a motor vehicle under the age of sixteen, cutting down trees on someone else's property, or taking someone else's fish.

The real significance of the debate, of course, centered on the value of eavesdropping in law enforcement. "How would it help in the battle against crime in the streets?" Senator Yarborough demanded. "What purse-snatcher or rapist plans his crime on the telephone?" As for the use of the telephone by criminal syndicates, he pointed out, as others had earlier, that the most immediate effect of the bill would be to cause them to rely on other means of communication. One organized criminal activity covered by Title III was the possession, sale, or use of "dangerous drugs," including marijuana, and this led Yarborough to ask, "Are we going to bug the home of every high-school student to see if we can overhear two teen-agers conspiring to take a puff of marijuana?" That course would be open to law-enforcement officers around the country, he said, and added, "Of course, in the meantime, while [they were] waiting for the teen-agers to say something about marijuana, [they] would overhear and record every intimate detail of family life—every conversation between husband and wife, between father and son, between the father and those with whom he has business." Senator Hart extended the list by adding conversations between client and lawyer, penitent and priest, patient and doctor, and "just innocent people talking to other innocent people." In answer to the claim, made by policemen and prosecutors, that the use of taps and bugs would produce more convictions, Hart retorted, "Rifling the mails and reading private correspondence, suspension of the Fifth Amendment's privilege against self-incrimination, and judicious use of the thumbscrew and rack would probably help the police secure more convictions."

In the opinion of many legal scholars, use of Title III would invade not just a person's privacy but also his property, whose sanctity had been guaranteed under Anglo-Saxon law since the fifteenth century. On this point, Fong quoted a famous maxim of William Pitt: "The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may



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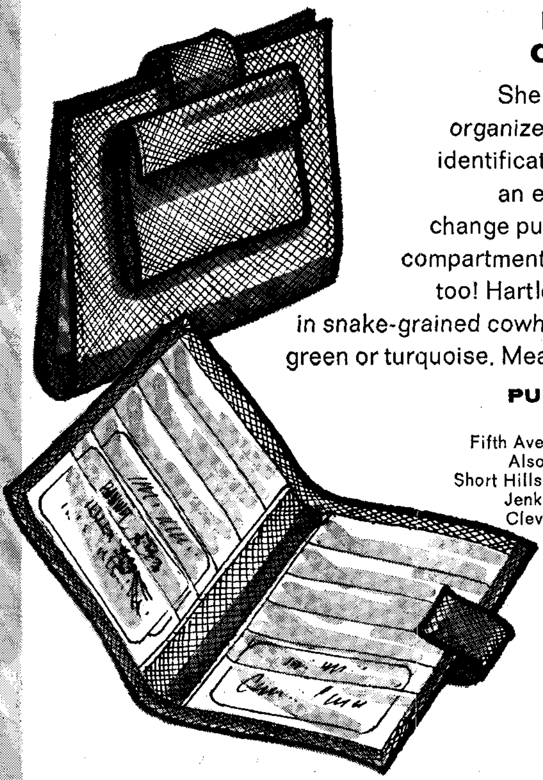

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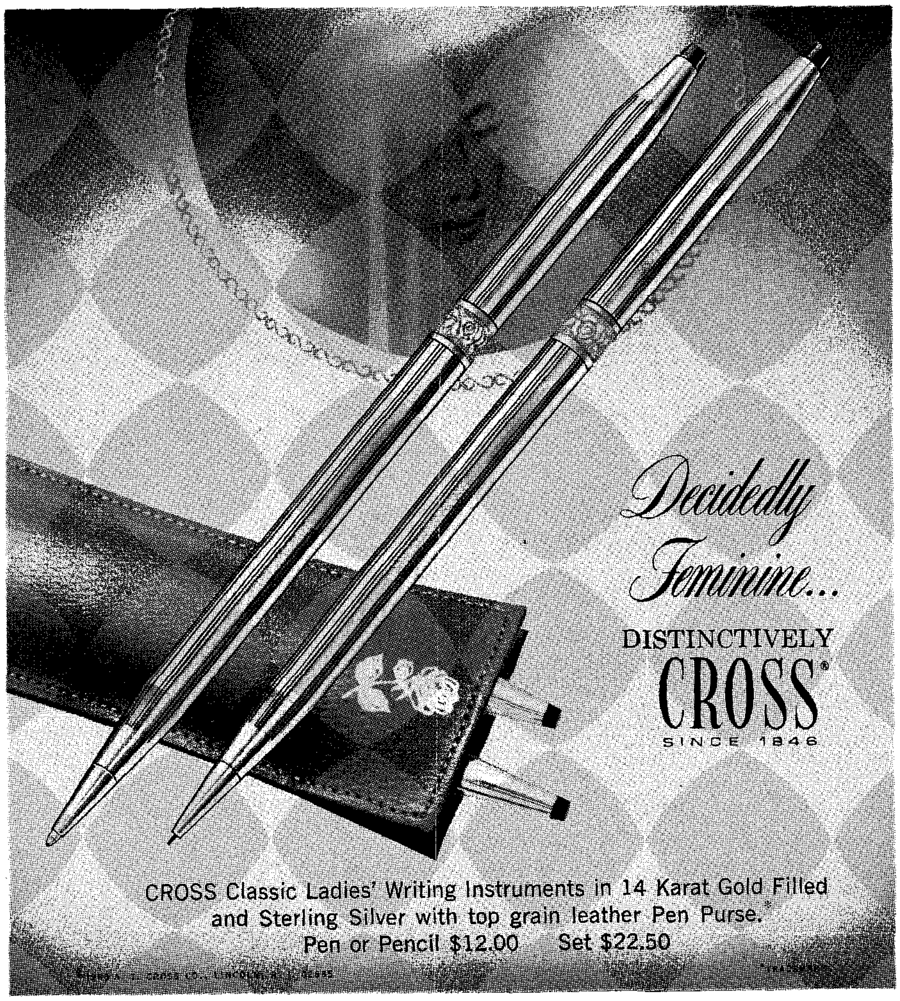

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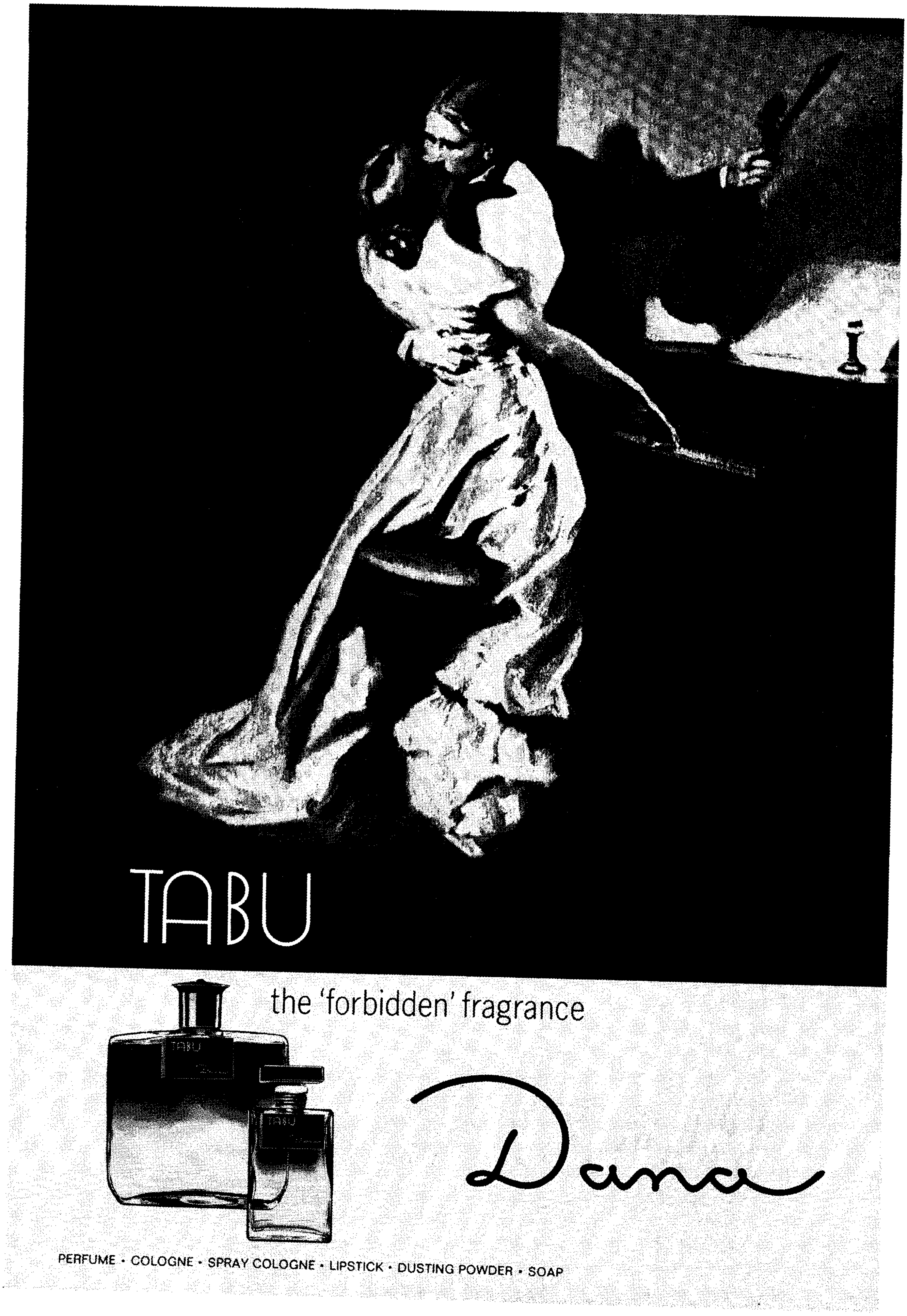
be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England cannot enter—all his force dares not cross the threshold of the ruined tenement." Hart reminded his colleagues that one of the chief purposes, if not *the* chief purpose, of the Constitution was to safeguard private property. "Make no mistake about it," he went on. "Eavesdropping and wiretapping are trespasses against the home. They are more serious trespasses than an unlawful search of the premises, because they continue over long periods of time unknown to the householder." Above all, though, Hart and his allies were deeply concerned about the provision in Title III that allowed prosecutors to put a tap on anyone for forty-eight hours without a court order if they decided there was an emergency. "I imagine that if one is a good policeman, everything is an emergency," Hart observed. Since the Senate was clearly in a harsh mood, he suggested a compromise on this point—by defining an emergency as a situation "that involves a threat of immediate danger to life." During a brief discussion on this proposal, Senator Frank J. Lausche, a deeply conservative Democrat from Ohio, got up and said, "I simply cannot conceive that we are going to give an arresting officer the discretionary power to determine that an emergency exists." Senator Robert C. Byrd, a conservative Democrat from West Virginia, was also troubled by this provision of the bill—and, for that matter, by Title III as a whole. "I think wiretapping is a dirty business," he said. Encouraged by this unexpected support from the right, Hart immediately offered an amendment he had wanted to bring up all along—to strike the forty-eight-hour rule altogether. He lost, but only by forty-four to thirty-seven. To Hart, this demonstrated anew that his fellow-senators did understand what they were voting on. And to others it supported their contention that the Administration had failed them, for if it had so much as flexed its muscles—in front of Mansfield, for one, who again voted with the majority—the forty-eight-hour rule would surely have been dropped. In any event, Yarborough finally persuaded the Senate to close the gaping loophole at least partway by stipulating that the rule could be used only in cases involving national security or organized crime. That comforted some who feared misuse of the forty-eight-hour rule, but not many. It still allowed law-enforcement officers to tap or bug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on very tenuous pretexts—if, for example, a suspect had patronized a restaurant, a store, or a business that was in any way connected with a crime syndicate, however distantly. Labor leaders, in particular, had reason to fear that the forty-eight-hour rule, along with the rest of Title III, would be open to abuse. The bill singled out for special attention such federal crimes as any "offer, acceptance, or solicitation to influence operations of employee-benefit plans" and "embezzlement from pension and welfare funds," and labor lawyers pointed out that this language would permit a national Administration that happened to be anti-union to listen in on all of labor's affairs, on the ground that someone in a labor organization was believed to be conspiring with someone in a crime organization to mulct union members.

Edward Long, of Missouri, asked the Senate to approve a resolution that assured all citizens of the right to privacy, and was turned down by a resoundingly one-sided voice vote. After that, he asked that permission for tapping and bugging be restricted to crimes that had been or were being committed, and not also cover, as the bill did, crimes that were "about to be committed," and he argued that "to invade the privacy of any citizen of this country on the speculative basis that a crime is about to be committed is to sanction endless 'fishing expeditions' for incriminating information." Senator Cooper concurred, and pointed out that the bill as written provided an unparalleled license to snoop, unlike the law governing the issuance of search warrants, which were never granted because a crime was alleged to be in the offing, unless a conspiracy was involved, which was a crime in the first place. The second Long amendment went down by sixty votes to eighteen.

Next, Fong tried to get the Senate to cut the thirty-day surveillance period to seven days, and lost on a lopsided voice vote. "The practical effect of all this is to render official eavesdropping very nearly universal," he warned, and added, "I am fearful that if these wiretapping and eavesdropping practices are allowed to continue on a widespread scale, we will soon become a nation in fear—a police state." To control the police in their efforts to control crime—or, as he feared, sometimes in their efforts to commit it—Fong proposed that Title III be circumscribed in the same way that the forty-eight-hour rule had, by limiting its coverage to cases involving the nation's security or the activities of criminal syndicates. The motion got twenty votes. Then

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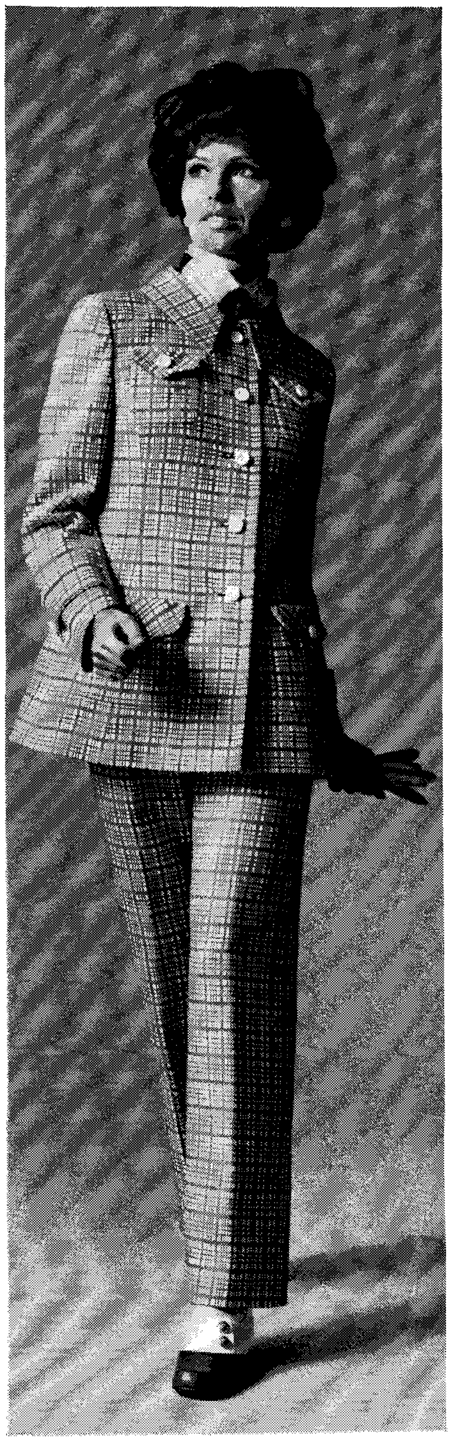

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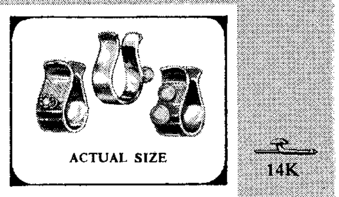

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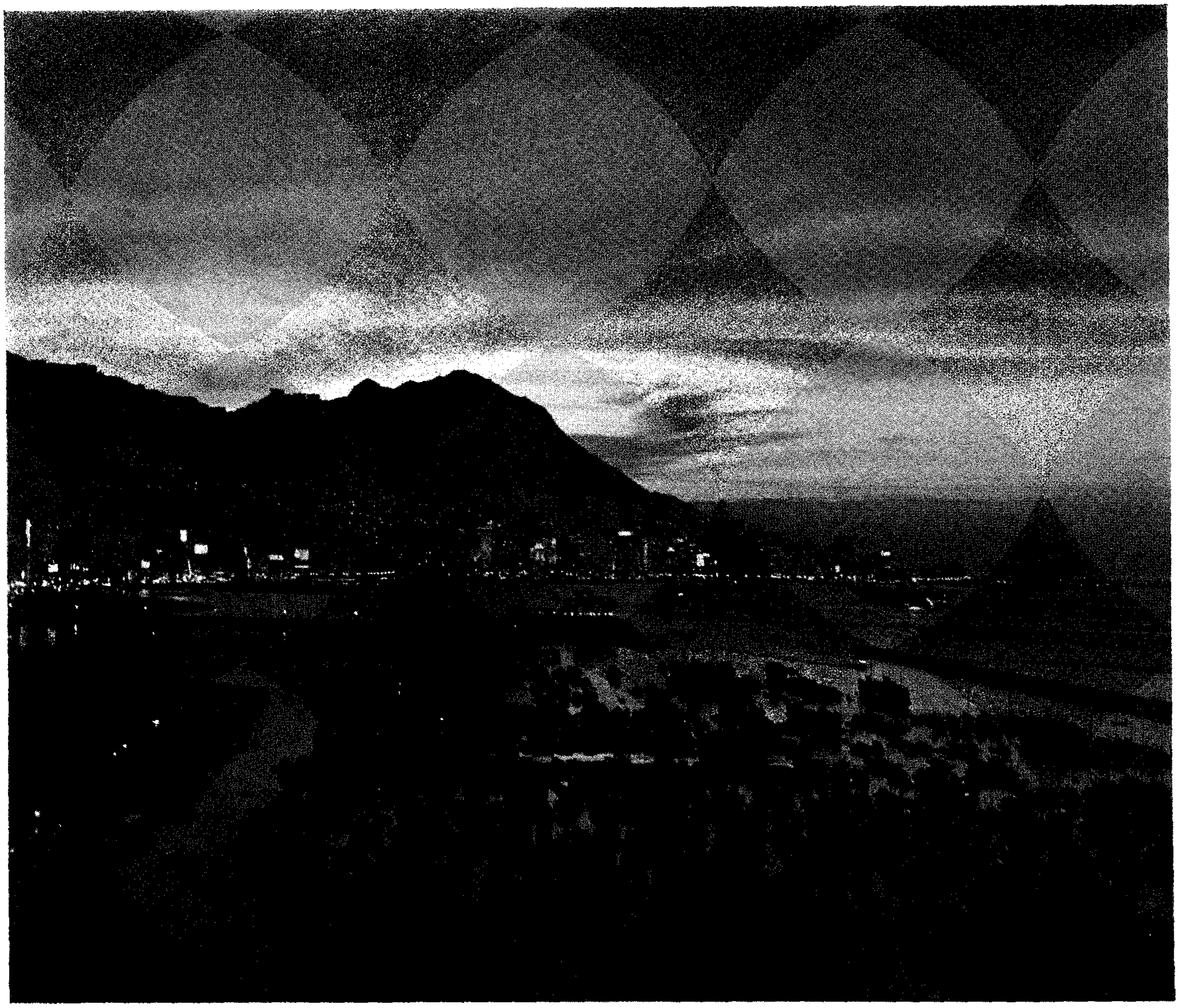

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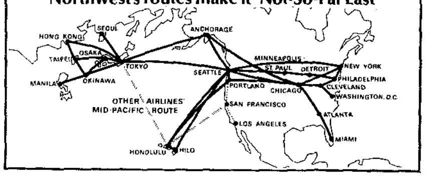
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Edward Long made one last gesture by moving that Title III be struck from the bill. This motion got twelve votes. With that, Title III was accepted.

When the Senate got around to Title I, the only major issue left to be resolved was over the Republican-backed block-grant approach taken by the House. Faithful to the word he had given the Administration, McClellan voted against block grants, but that one vote was all the Administration got in exchange for its agreement not to oppose him too vigorously on Titles II and III; in effect, his failure to make any effort at bringing his followers along to support the Administration defeated the attempt to stop block grants as decisively as if he had led the fight for them. After agreeing to Edward Kennedy's provision to set up a National Institute of Law Enforcement and Criminal Justice and disposing of some technical matters, the Senate approved seven other brief titles, the most significant of which stipulated that anyone who was convicted in a federal, state, or local court of "inciting a riot or civil disorder" or "organizing, promoting, encouraging, or participating in a riot or civil disorder" would be ineligible for employment by the federal government or the District of Columbia for five years. This title was clearly aimed at discouraging federal and District employees who lived in the capital from burning it down, as some of them had tried to do following the assassination of Dr. King. But, according to a high official in the Department of Justice, it also constituted an extremely regrettable precedent, for it made anyone who expressed political dissatisfaction by taking to the streets unemployable in the country's largest single labor market. "Even worse, local governments and private businesses can now safely follow suit," he went on. "That can only mean fewer jobs and ultimately more dissension." Then, on May 23rd, the roll was called for a final vote on the entire hundred-and-thirty-four-page package. By this time, no one was surprised that the bill passed easily, but just about everyone was stunned by the overwhelming margin—seventy-two to four. Again the minority was as bipartisan as the majority, with Hart and Metcalf on the Democratic side and Cooper and Fong on the Republican. After it was all over, Mansfield rose to say, "Mr. President, with a loud and clear voice the Senate has said, 'Let us reverse the growing crime rate, let us give our law-enforcement officers the help and assistance they need.' The cry of 'crime

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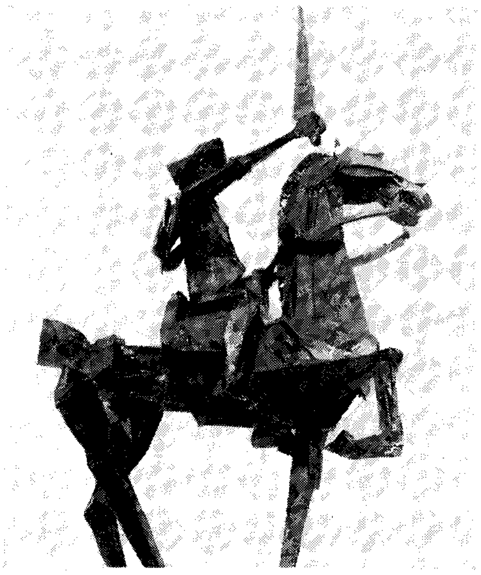

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in the streets' is not, by any means, a false alarm; it exists and it is about time the Congress faced the issue squarely. With the passage of this measure, the Senate has responded. I think this entire body may be proud of such an immense achievement."

"IT was incredible that we got only four votes," Senator Fong said afterward. Hart agreed that it was incredible, but said that he thought he could understand why some senators felt compelled to vote for the bill, aside from the compelling fear that their constituents would pay them back at the polls if they didn't. "When you're faced with a bill that you think is bad and yet the mood of the country is overwhelmingly for it, then a case can be made for voting in favor of it on the ground that you're doing what the voters want you to do," he said. "Of course, that raises the most serious questions about the meaning of representation. One of them is whether it's just an alibi when we vote as our constituents want us to vote, not as we believe we should vote. But a more difficult question arises when it comes to voting in a way that will make the public feel that their government is against them. Some men in the Senate feel that if it is a real possibility that the people will lose their faith in the government's ability to protect them—in this case, against crime—then the vote must be cast to reassure them that the government is on their side, even if the bill is bad. I don't share that view, but it may be what happened here." To Senator Metcalf, the outcome was bad whatever the reasons for it may have been. "This act is the height of irresponsibility!" he said, slamming a fist into the palm of his hand. "Many of those who voted for it believe that it's un-Constitutional, and it patently is. We have as much responsibility to carry out the intentions of the Constitution as the President or the courts, and we haven't met it—not at all. The Supreme Court will undoubtedly overturn most of the law, but, by the time it does, the right wing may have got the public so stirred up that it will be ready to give the police extraordinary powers without even realizing what it's doing." For his part, Senator Fong put the bill down as "the most vicious piece of legislation that has passed the Senate in my time." And Senator Cooper predicted, "It will return to haunt us." While the four senators put varying emphases on different parts of the bill as their main reason for opposing it,

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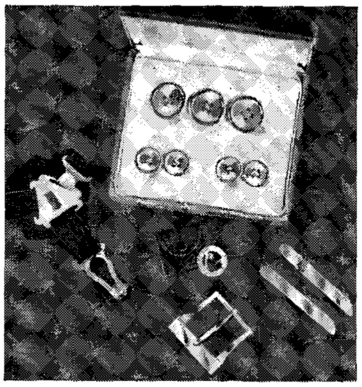

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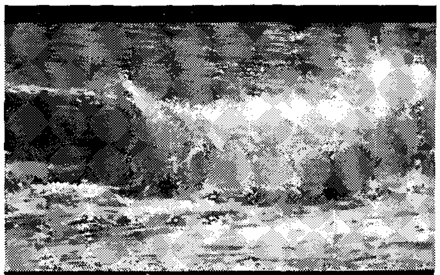

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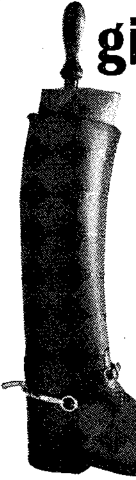

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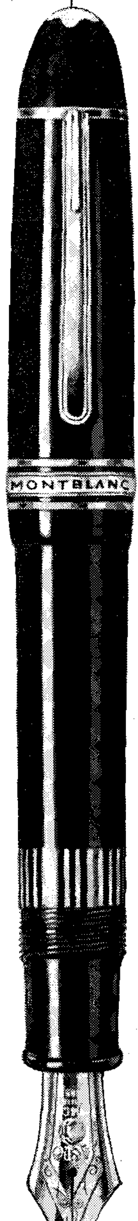

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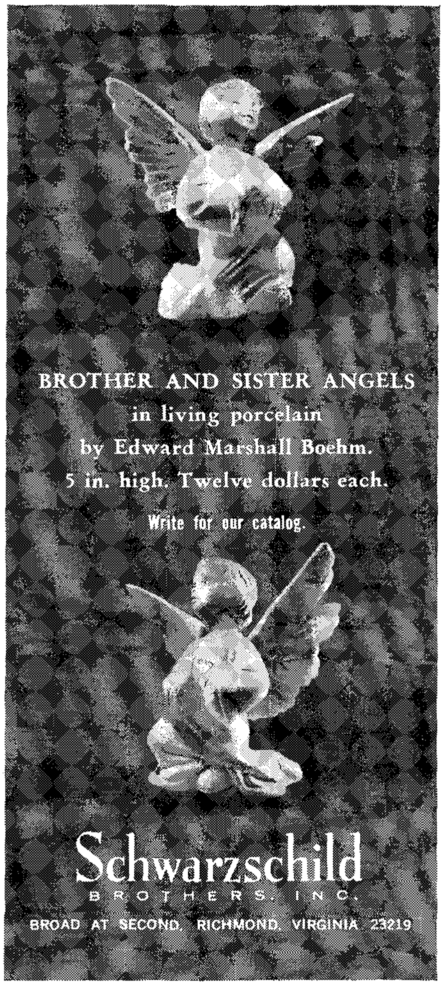
they agreed that even if it was not un-Constitutional they would have voted against it on the ground of policy alone. "The reversal of Miranda, Mallory, and Wade will hurt the poor and do nothing to lessen crime," Hart said. "And legalized eavesdropping will set back the whole society, but especially the affluent, who are more susceptible to blackmail and intimidation."

Three of the dissenters—Metcalf, Cooper, and Fong—said that their votes had not placed them in political jeopardy. "It was not hard for me to vote as I did," Metcalf said. "We don't have big cities in Montana. We don't have a high crime rate. We don't have many Negroes." (Of course, Senator Mansfield, who is also from Montana, went along with the majority.) Of the four dissenters, Senator Hart was the only one who faced a clear danger in voting against the bill; Michigan contains a number of large and middle-sized cities with high crime rates, racial unrest, and white minority groups that can produce a backlash against both Negroes and politicians who stand up against bigotry. As a result, some of Hart's aides had advised him to support the measure, but at least one of them counselled him to oppose it, and argued that otherwise he would later be blamed for misleading his constituents when the crime rate continued to rise in spite of the new law. "I never stewed about it," Hart said. "I just decided it was a bum bill." But he conceded that his stand would undoubtedly be used against him when he ran again in 1970, and cited the cascade of mail he had received from constituents attacking him for his position. "They feel that if you didn't vote for the crime bill, you're just out of touch and don't know—or, worse, don't care—what's going on back home," he explained. "In 1970, my opponent will be bound to use this. He'll say something like 'One of the great domestic crises facing this nation is its crime rate. Only four senators were so insensitive as to vote against the Omnibus Crime Control and Safe Streets Act. They forgot the abiding interests of the people in their overriding concern for the welfare of criminals.' " Having prepared his opponent's campaign for him, Hart went on to mention that far graver political retribution was in store for two of the three senators who had not been present for the final vote but had announced that if they had been they would have voted nay—Morse and Ernest Gruening, of Alaska—because they were both up for reëlection in



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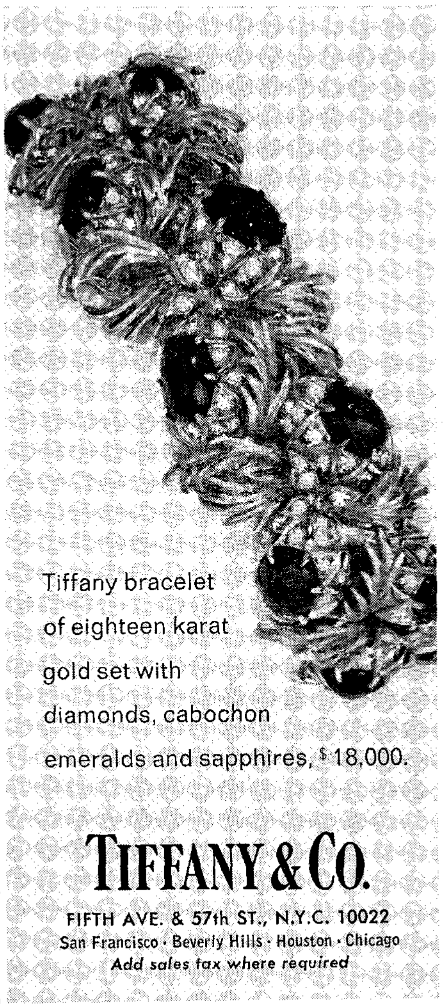
1968, when the voters' memories would be fresh. (The third man to announce that he would have voted against the bill was Young of Ohio, who had been elected to his second term in 1964, at the age of seventy-five.) Not long after the Senate vote on the crime bill, Gruening went down to defeat in a primary election, and although the main issue in it appeared to be his advanced age, it was believed that his stand on the crime bill had not helped him. He ran a write-in campaign, but lost in November. The first official tabulation of votes in Oregon showed that Morse, who has asked for a recount, was beaten by a very narrow margin.

Of the twenty-one other absentees, eleven announced that they were for the bill, and ten took no position. Some of those who took no position were, as the *Record* indicated, "necessarily absent," including the three senators who then or later were active as candidates for the Democratic Presidential nomination—Robert Kennedy, Eugene McCarthy, and George McGovern. Others, including Vice-President Humphrey's campaign managers—Senators Fred R. Harris, of Oklahoma, and Walter F. Mondale, of Minnesota—were in town at the time and unnecessarily absent. One insight into why some of those who did not vote and did not announce how they would have voted if they had could be found in the situation faced by a senator like Frank Church, Democrat of Idaho, who was engaged in a reëlection campaign. Faced with the toughest fight of his career, chiefly because of his long-standing opposition to the war in Vietnam, Church had concentrated a large part of his campaign on another issue that he had long been outspoken about—opposition to any form of gun regulation, which has always been anathema to just about everyone in Idaho. It was now about the only thing he had going for him, and he had repeatedly promised his constituents that he would vote against such a bill no matter what happened. A vote for the crime bill might have pleased residents of a city like Boise, where there was enough crime to be noticed, but it *would have cost him dearly* throughout the rest of the state, because his vote would have helped to pass the gun section, too. And a vote against the bill would undoubtedly have been picked up by his right-wing opponent and touted as an expression of Church's softness on domestic as well as foreign enemies.

Senator Edward Kennedy had



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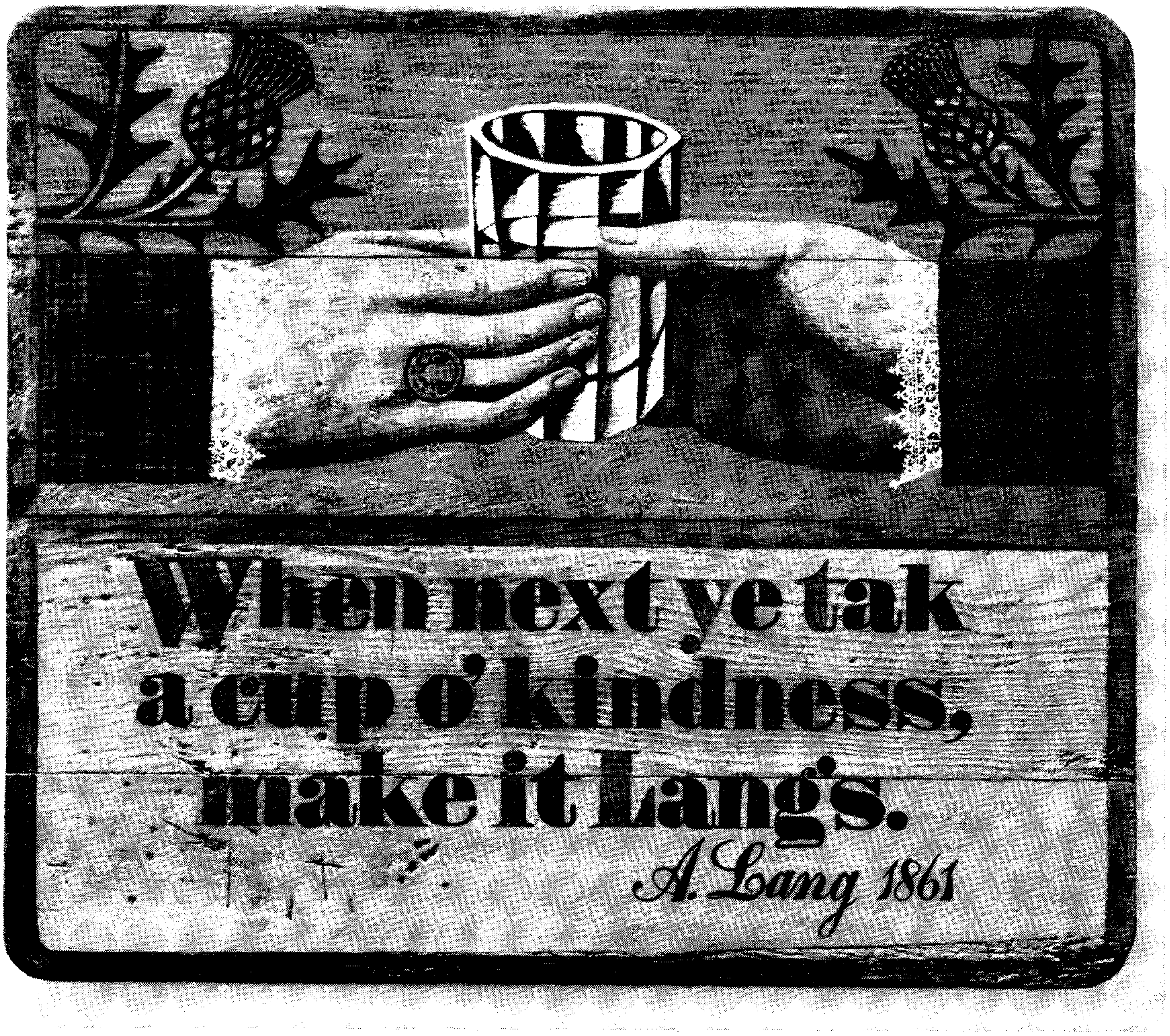
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planned to be on hand for the roll call, but it came about a day earlier than the leadership had anticipated, and he was in a hotel room in Harrisburg, Pennsylvania, where he had been campaigning for his brother. When the vote came up, Flug, his legislative assistant, telephoned the Senator and inquired how he wanted to be recorded. Despite his concern about the dangers inherent in Titles II and III, Kennedy felt that something might still be done to limit them *if the right tactics* were used. With this in mind, he asked for his assistant's recommendation, and Flug replied that if he were a senator he would vote against the bill. "And what would you do if you were a senator's legislative assistant?" Kennedy asked. "I would recommend a vote for it or no vote at all," Flug answered. After a pause, the Senator called for the arguments favoring an affirmative vote, and Flug enumerated them: the bill contained Kennedy's amendment providing for an Institute of Law Enforcement and Criminal Justice; Title I, except for the block-grant provision, was a step forward; Title IV, even *with its failure to regulate rifles and* shotguns, was better than nothing; and the worst parts of Titles II and III could possibly be modified if the Senator was appointed to the House-Senate conference committee to work out the final form of the law. When Flug finished, Kennedy pointed out that he would have a far better chance of being appointed to the conference committee as a supporter of the measure than as an opponent, since he himself had argued during a fight on a congressional redistricting bill that those who vote against a measure should not be allowed to be conferees and thereby carry on their opposition to a measure *that the Senate, which they are supposed to represent in conference, has* already approved, and the argument was certain to be remembered when Eastland chose members of the Judiciary Committee to take up the crime bill in conference. Kennedy also pointed out that if the conference did not adequately repair the bill's defects, he would have another chance to vote against it when it was sent back by the conferees for a final vote in the Senate. With that, he instructed Flug to announce that if present he would have voted for the Omnibus Crime Control and Safe Streets Act.

Some senators who lacked such a rationale felt sufficiently unhappy about their vote to admit it. "Several colleagues who voted for it told me privately that they disagreed with the bill

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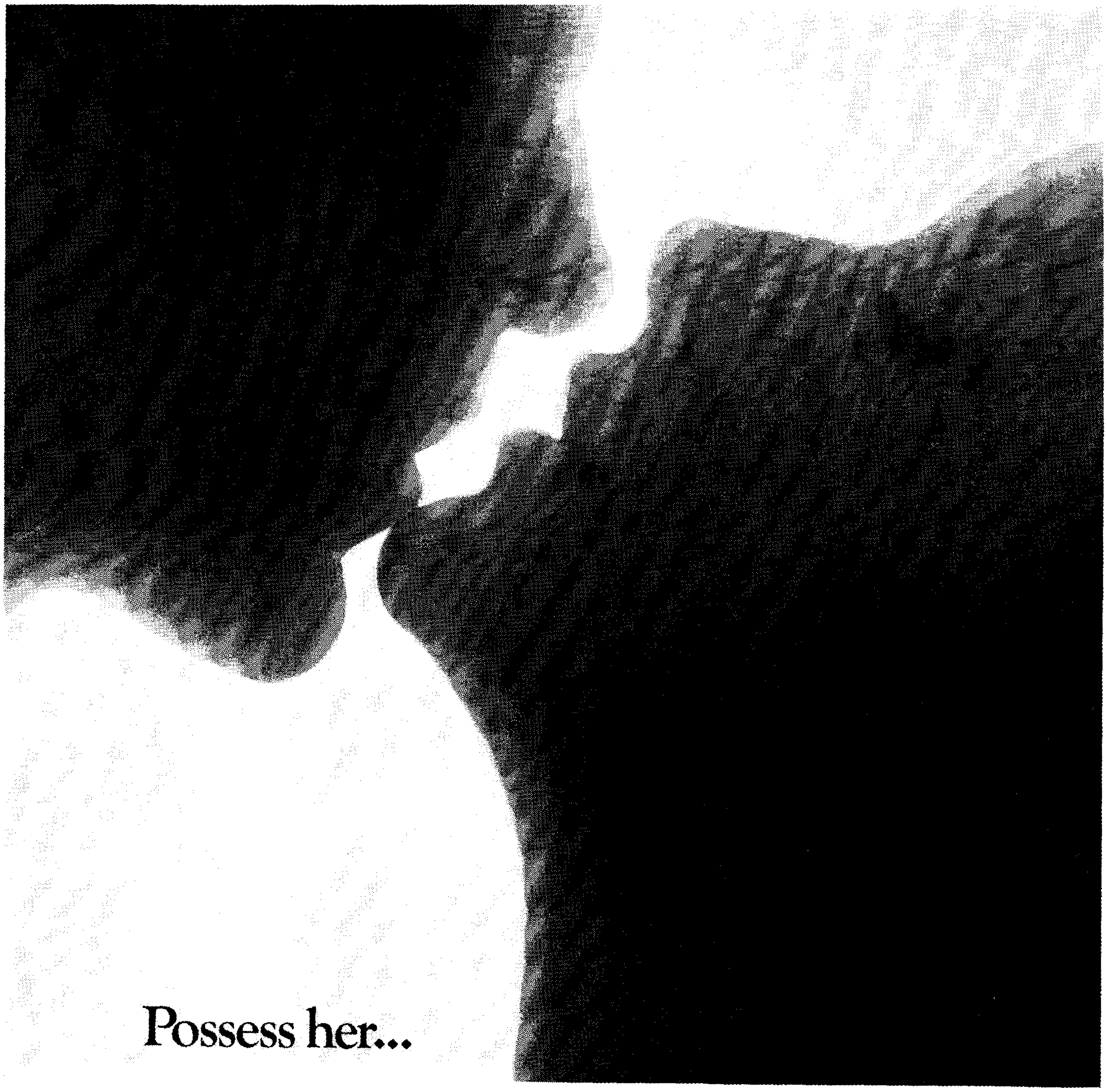
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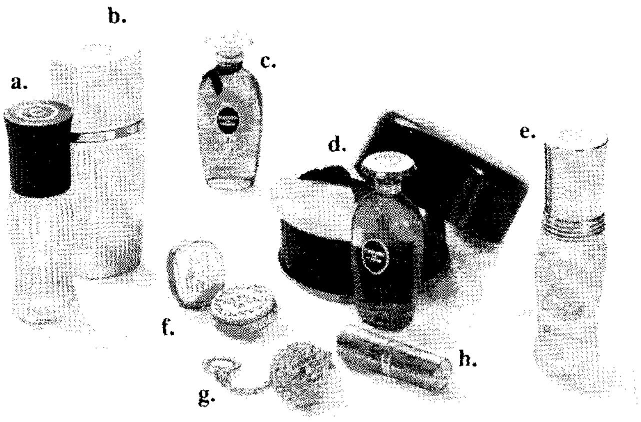

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and agreed with me," Cooper said. Others shared the view expressed by one member who said, "I just couldn't vote against a bill with a title like that in a year like this." And still others had no explanation for the Senate's action at all, like one senator who merely shook his head and said, "Weren't we terrible there?" For some, it was apparently all right to be terrible as long as other people weren't. Jacob Javits, of New York, who voted for the bill, addressed the graduating class of the law school at the State University in Buffalo a few days later and took the opportunity to warn his audience, "If the citizens are not vigilant to defend the integrity of the Court on Constitutional questions, we run the risk of developing a dictatorship of the majority, which could extinguish individual liberty, all under cover of the 'emergency power' to suppress crime." That outcome, he added, would inevitably create "a confrontation dangerous to the Constitution, a confrontation that could lead to a Court-packing effort or a new effort to take appeals jurisdiction away from the Court entirely."

WHEN the House met, on June 5th, to take up the Omnibus Crime Control and Safe Streets Act, it turned out that a confrontation of the sort Javits described was just what many representatives were looking for. The day before, Representative Paul G. Rogers, Democrat of Florida, had let it be known that the supporters of the bill enacted by the Senate meant to confound the hopes of men like Edward Kennedy by pushing the measure through the House without a conference, to insure that the anti-Supreme Court provisions remained in it as written. Rogers had obtained permission from the Rules Committee to offer a motion to this effect on the floor, and it was widely expected to pass. Early on the morning of the fifth, Senator Robert Kennedy was shot in Los Angeles, and that crime (which some members publicly blamed directly on the Court's "softness on criminals") made absolutely certain what had been virtually certain before it happened—that the crime bill passed by the Senate would be passed by the House unchanged. "There is an emotion in the House today amounting to a passion that is not going to be frustrated, and is not going to be denied," Charles Mathias, Jr., a Republican congressman from Maryland, told his fellow-members when they met that afternoon to consider the Senate bill. Emanuel Celler, who

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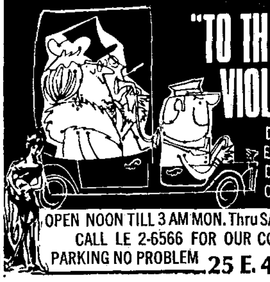

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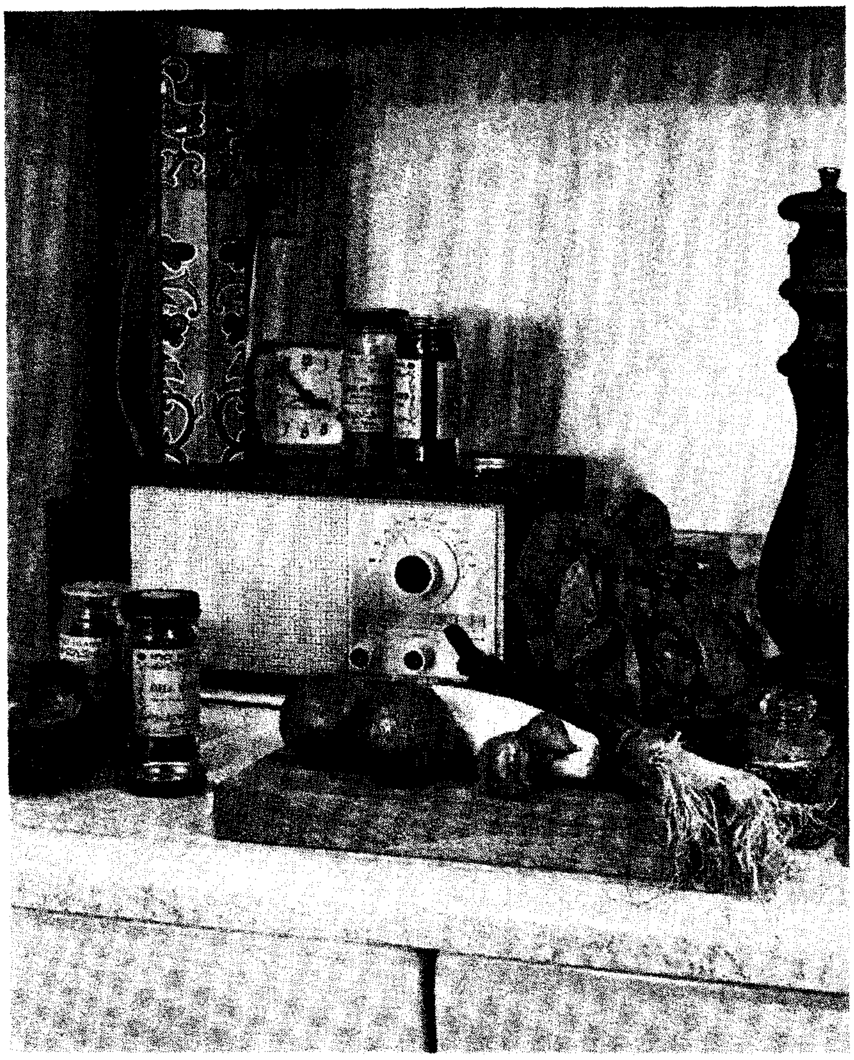

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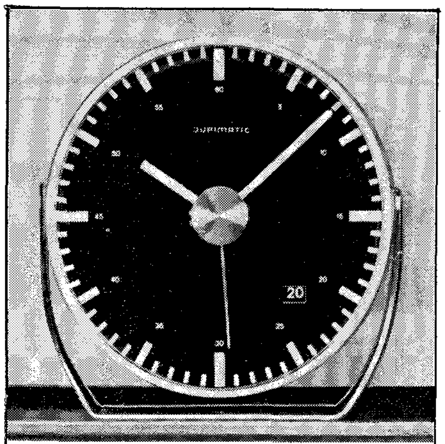
would have preferred to see the bill defeated altogether rather than passed in its existing form, desperately tried to divert the passion, pleading that the bill be sent to conference for refinement and warning that in any clash between Congress and the Supreme Court "Congress cannot be the winner." Minority Leader Gerald Ford disagreed with Celler. "I refuse to concede, Mr. Speaker, that the elected representatives of the American people cannot be the winner in a confrontation with the U.S. Supreme Court," he declared. "To admit that is to admit that the American people cannot control the U.S. Supreme Court. I think the American people today must have some control and jurisdiction over the judiciary of the federal government." Of course, if they did—and made the Court subject to popular whim—the American form of government would thereby cease to exist.

Robert Kennedy died early on the following day. A few hours later, the Speaker of the House, Representative John McCormack, told a group of reporters in his office that the Kennedy family had requested that Congress carry on with the business of the nation, and he said that the most important part of that business would be the debate and the final vote on the Omnibus Crime Control and Safe Streets Act, which would begin at three o'clock that afternoon. When public clamor over a great issue reaches the stage where it can no longer be ignored, the House of Representatives ordinarily responds by doing the wrong thing—not to resolve the issue but to stop the noise. This time, it did the wrong thing in Robert Kennedy's name. (If it does the right thing, it ordinarily does it at the wrong time. After Dr. King was assassinated with a rifle, Congress passed a law to regulate the sale of pistols, and after Senator Kennedy was assassinated with a pistol, Congress passed a law to regulate the sale of rifles.) More than two hours was devoted to tributes to the fallen Senator, most of which contained pleas that the House unanimously enact the crime bill as revised by the Senate as a memorial to him. (On a C.B.S. television interview the following day, Peter Edelman, the late Senator's legislative assistant, angrily criticized this attempt to cash in on the tragedy, pointing out that the bill "contains measures that Robert Kennedy very deeply opposed"—in particular, Titles II and III.)

The tone of the House "debate" was set by members like Watkins M.



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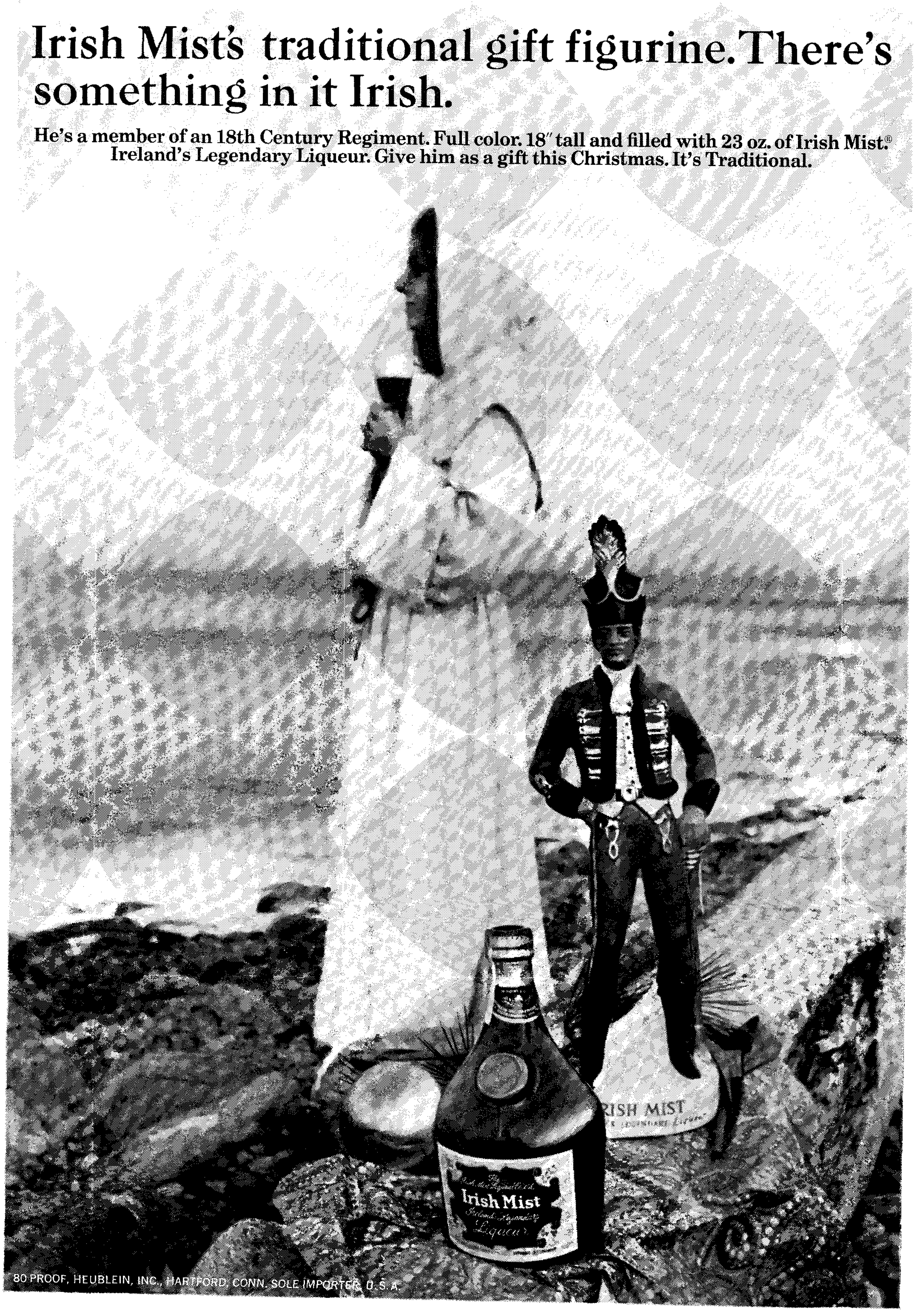
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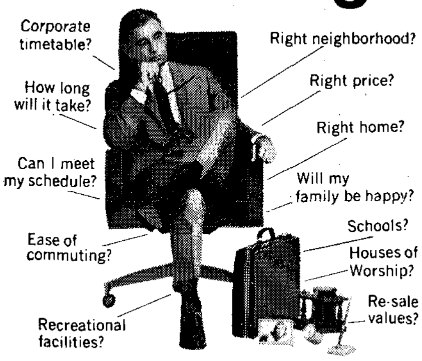
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Abbitt, Democrat of Virginia, who trotted out the old charge that criminals had been "encouraged, pampered, and nurtured not only by the majority of the Supreme Court and certain segments of the judiciary but by many other leaders in government," and Ray Blanton, Democrat of Tennessee, who served notice that "Congress will no longer abdicate its responsibilities to nine appointed men, nor will it allow the passivity of an appointed Attorney General to be a roadblock in our disgust and anger and our wrath over the permissive society of crime." One surprisingly candid statement in support of the bill came from Representative John G. Dow, a Democrat from upstate New York, who said, "This bill, as now amended, I regret exceedingly, and will only vote for it because of the widespread desire of all our people to curb crime and prevent continuation of violence in our land. As the price for this, we are saddled with amendments that threaten our liberties and may remain to haunt us. I am voting for this measure out of deference to so many expressions from constituents in my district who regard protection in our streets as their paramount anxiety today." In the end, three hundred and sixty-eight representatives voted to accept the Senate bill, seventeen voted not to, and forty-eight did not vote at all.

Under the Constitution, the President has ten days, excepting Sundays, in which to sign a bill. When a week passed without President Johnson's having affixed his signature to the Omnibus Crime Control and Safe Streets Act, speculation arose that he would either veto it or let it become law without his signature. But in view of his earlier failure to take a public stand against the bill, it seemed unlikely that he would now deprive members of his party of the chance to claim credit for doing something about crime when they went home to face the electorate—a claim that would have been greatly weakened either by his veto, even if it was later overridden, or by his refusal to sign the measure. "What is he waiting for?" Congressman Ford demanded, as if now that the Court had been put in its place it was time to turn to the Presidency. Finally, on June 19th, the last day left for his approval, President Johnson, saying that the bill "contains more good than bad," signed it—an act that the *Times* described as "a surrender to public hysteria."

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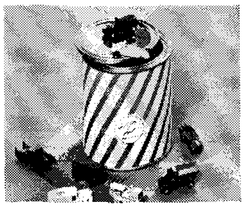

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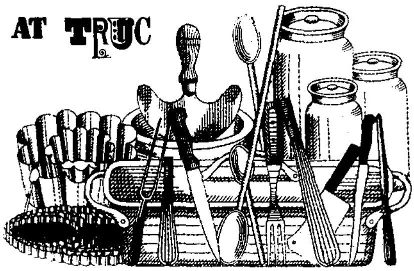

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it was rising even more rapidly than crime itself. Late in June, the F.B.I.'s *Uniform Crime Reports* showed that the crime rate was up by seventeen per cent for the first quarter of 1968. Two weeks later, the Gallup Poll organization stated, "Today, unfavorable feelings toward the Court outweigh favorable sentiment by a 3-to-2 ratio"—the first time that a negative response had been recorded. A few weeks after that, a Louis Harris poll showed that the trend was growing apace, for now the ratio was three to one against the Court, and by this time nearly seventy per cent of those polled believed that "violation of law and order has been encouraged by the courts."

It was largely because of this public attitude that the conservative coalition in the Senate, which had helped create it in the first place, was able to block the nomination of Justice Abe Fortas to be Chief Justice—and, in large measure, to deny the Court the independence that the authors of the Constitution had tried to assure it. At the start, the move was not an attempt to undercut the Court, or even to reprimand Fortas for his questionable conduct in office, about which nothing was known at the time. Rather, it was an example of the truism that in politics one man's preferment is paramount to the public safety. On June 21st, Senator Robert P. Griffin—a Republican from Michigan who had moved up from the House two years before when Governor George Romney appointed him to fill the unexpired term of the late Senator Pat McNamara, and had then won a term on his own—rose to announce, "I shall not vote to confirm an appointment of the next Chief Justice by a lame-duck President." In a Constitutional sense, the statement was absurd, for it suggested that any President at any time during his second term in office lacked Presidential powers. But in a political sense it quickly took on meaning, as McClellan, Ervin, Eastland, and others in their camp saw still another opportunity to weaken, and perhaps even control, the Court. It was reported that Griffin was rather embarrassed by the allies who joined him in what had been for him little more than a partisan gesture but that he was prepared to go along with them, because he now saw a chance to wrest control of the Republican leadership in the Senate from Minority Leader Dirksen, who was having increasing difficulty in keeping the younger members of his party in the Senate in line. Dirksen had dismissed the Griffin move as "frivolous, diaph-

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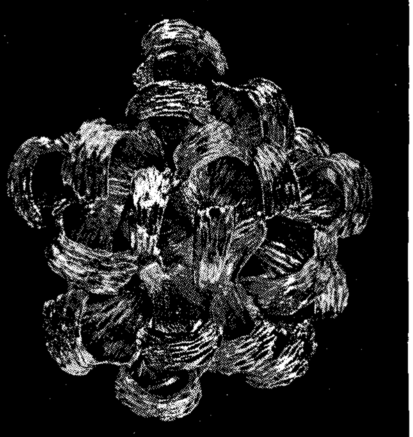

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anous, gossamer" when it was first made, but he soon saw reason not to underestimate the challenger, for Griffin had led the House fight, in 1965, that unseated Minority Leader Charles Halleck in favor of Ford. When it became clear that Fortas's defeat was inevitable, Dirksen took the only step he could to weaken the threat to his own position, and joined the rebellion. In the end, fewer than half the senators voted to invoke cloture to cut off a filibuster by the anti-Fortas coalition led by Griffin, and that ended the effort to confirm the nomination. It also recalled a warning issued by Chief Justice Warren before a conference of federal judges in Philadelphia a few weeks earlier. "If one of our three coördinate branches of government is discredited, the entire structure of government is weakened," he said. "None of them can strengthen the democratic process by climbing over the weakened body of another. In the nature of things, the judiciary is the most susceptible to attack, because it cannot enter the political arena and trade blow for blow with those who would discredit its work. The others can and do."

Still, it seems unlikely, even in this time of change, that the Supreme Court will collapse under some future assault manned by a vengeful public and led by a pliant Congress or President. Instead, the worst prospect is that the Court will resolve the issue by retreating from it, either because the current majority will be afraid not to retreat, as the only means of preserving that institution, or because a new majority appointed by a new President will want to. In either case, the Court might well allow the reversal of its recent decisions and the use of secret police surveillance to stand—or at least approve them in substance—and thereby make the police power superior to its own. Historically, of course, that kind of compromise has often brought on tyranny.

—RICHARD HARRIS

•

THE WATER MOCCASIN

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we kept a vigil on the current,
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with fangs of venom,
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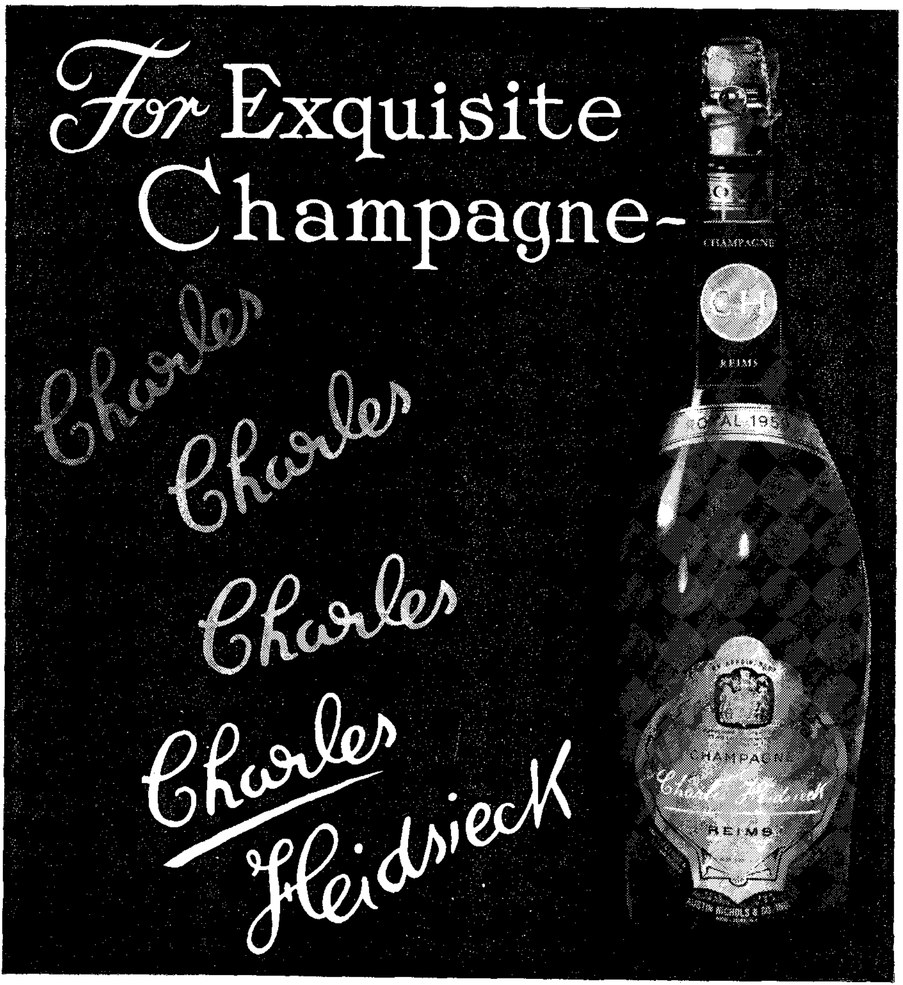
the dot of a head
and liquid trails of motion.

—FREDA QUENNEVILLE



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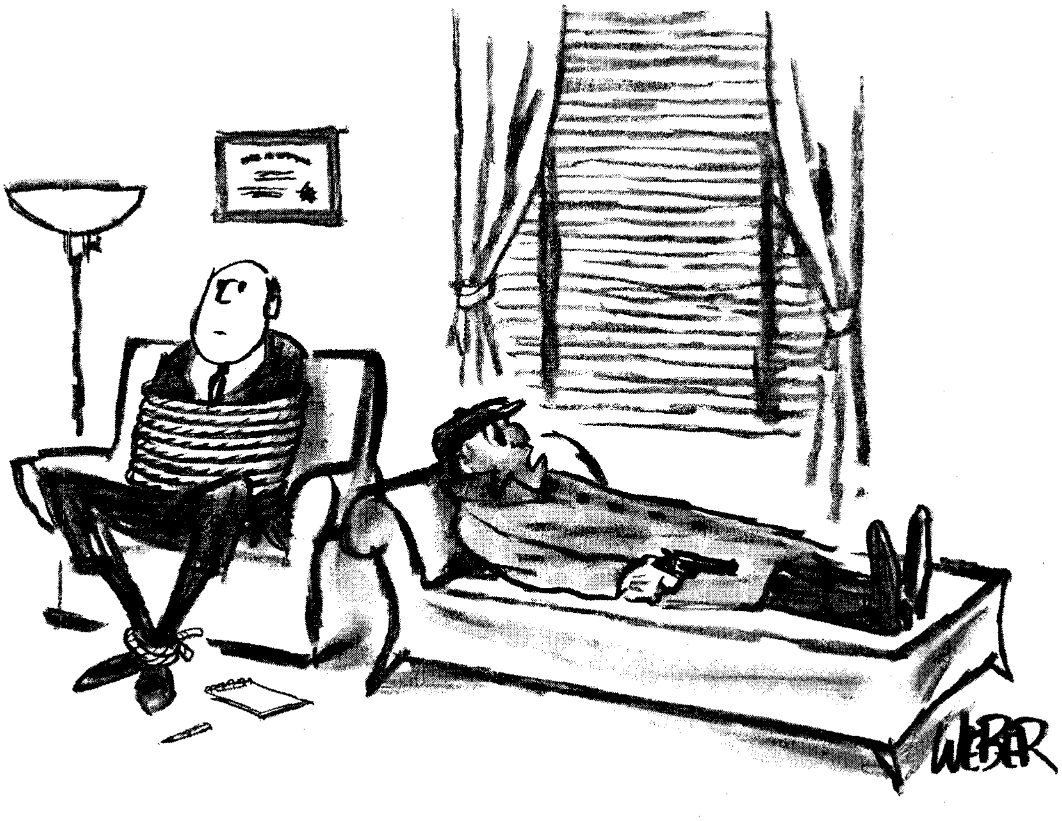
THE THEATRE

MISFITS

THERE are plays notable only for their unnecessariness, and Herb Gardner's "The Goodbye People," which was given seven performances at the Ethel Barrymore, deserves a certain place in the history of the genre. What shone out of it—and I assure you that it was all that shone—was the tiny spark of the interestingness of its being so thoroughly *uncalled for*. What on earth can have prompted this synthetic work? Why did Mr. Gardner trouble to bring into existence a play that, lasting a couple of hours, had less genuine feeling in it (to say nothing of literary skill) than a two-minute TV commercial? These questions drifted through one's mind as one watched the play, not because they could be made to yield fruitful answers but because for therapeutic reasons one had to think of *some*thing—desperately, one grasped at the straw of speculation instead of listening to what was being said at intolerable length onstage. A few years ago, Mr. Gardner had a lucky hit with a play called "A Thousand Clowns." I remember not liking it much at the time—its hero was one of those tiresome eccentrics, common in writing and mercifully rare in life, who drop out of the ordinary, workaday world and then proceed to bellow fey remarks at the poor drudges who remain inside it—but next to his latest effort "A Thousand Clowns" was "Oedipus at Colonus."

The characters in "The Goodbye People" were as few as they were false. An old Jew named Max Silverman, played with only a hint of happy, bygone Texaco days by Milton Berle, is the half owner of a little hot-dog and soft-drink stand under the boardwalk at Coney Island. The stand has been closed for eighteen years, but Max, having just recovered from a massive coronary, feels impelled by this brush with death to embrace life more ardently than ever—he will divorce his wife because she is so plainly ready to become his widow, he will repudiate those of his children whom he considers too cautious and socially ambitious, and, though it is February and the boardwalk is deserted, he will reopen his little business and achieve at the edge of the grave the success that so stubbornly eluded him in his prime. On the beach, Max encounters, and harangues with senile venom, a sequence of victims: an incoherent, compulsively sleepy young man (Bob Dishy), who is trying to summon up the courage to quit a job he detests; a Silverman daughter (Brenda Vaccaro), who has changed her name, bobbed her nose, and is divorcing her husband, all with a view to achieving a new identity; a Silverman son (Tony Lo Bianco), who pleads in vain for his father's affection and respect; and the other owner of the business (Sammy Smith), who turns out to have sold his share of it behind Max's back. In an eerie, Brooklyn fashion, Max is a *nebbisher* Lear, and the multiplication of his petulant tyrannies hurries him to a well-deserved death on the Coney sands. If you were to ask me to judge the comparative merits of the "Lear" at Lincoln Center and the one at the Ethel Barrymore, I would say that Lee J. Cobb's performance had a slight edge over Berle's, but then he also had better lines. It remains only to mention that the set for this catastrophe was by David Hays, and that the direction was by Mr. Gardner, who, not content with having written a bad play, appears to have sat back at rehearsals and listened to his own words with a pleasure that it is the first discipline of the professional writer to forgo.

MURRAY SCHISGAL's play "Jimmy Shine," at the Brooks Atkinson, shares with "The Goodbye People" a disheartening air of gratuitousness. Mr. Schisgal is a much better writer than Mr. Gardner, and Donald Driver is a much better director than Mr. Gardner, with the result that the star of the play, Dustin Hoffman, is able to keep us continuously amused, or, rather, continuously in the mood to *be* amused, but once the curtain falls we perceive that we have been hocus-pocussed. Having passed an evening of pleasurable anticipation, we are sent home unfulfilled, for nothing of consequence has taken place inside this fake-jaunty, ramshackle play; Mr. Hoffman is the same engaging and wistful little loser at the end that he was at the beginning, and the insignificant misadventures through which he stumbles lack even the doubtful virtue of novelty. They are set in ground that has been under cultivation for a good fifty years by now; given the difference made



possible by our contemporary license in respect to language, dress, and representable action, we are still, for pity's sake (and literally for pity's sake), in Tarkington country. Jimmy Shine is out of the heartland not of America but of American fiction; his ignominy as he pursues the will-o'-the-wisp of sexual and professional maturity is a commonplace that Mr. Schisgal breathes little life into and that Mr. Hoffman, doing what amounts to a series of clever night-club turns (including imitations of Groucho Marx, W. C. Fields, Jimmy Durante, and Dustin Hoffman in "The Graduate"), disguises but cannot transform.

The secondary roles in "Jimmy Shine" are all paper-thin, but Susan Sullivan is fetching and not quite mindless as the girl whom Jimmy languishes after and at last rejects; Cleavon Little is delightful as a swinging San Franciscan; and Eli Mintz, playing, for no discernible reason, a fishmonger named Lepke, sings a ridiculous duet with Hoffman that is by far the best thing in the play. A compliment of this sort is, of course, at bottom a rebuke; it says something for Mr. Schisgal's talent that he is able to earn both simultaneously. The single set of "Jimmy Shine" is by Edward Burbridge, the costumes are by Lewis Brown, and the occasional music is by John Sebastian. Very beneficial it is in its witty distractingness. —BRENDAN GILL

OFF BROADWAY

Split

"BANANAS," at the Forum, is a loosely strung lampoon of some of the traditions and gags of show business in the form of an old-fashioned burlesque. It is sometimes entertaining but mostly just so-so, and if it had not been for a program note I read during the first intermission, in which the dramatist, John White, sets forth his intentions, even citing James Joyce, "whose influence on this work is readily acknowledged," I never would have imagined that the show was anything but the harmless, extended inside joke it appeared to be. Mr. White goes on, "Consider, for example, a writer who feels he has something consequential to say about critics and their inordinate influence on today's theatre audiences but who, in the course of his proclamation, discovers, to his own lasting bewilderment, that he is so fond of them he wants them to be part of the onstage ensemble . . ." So there you are. Well, one of the characters is a critic, and he does stop the

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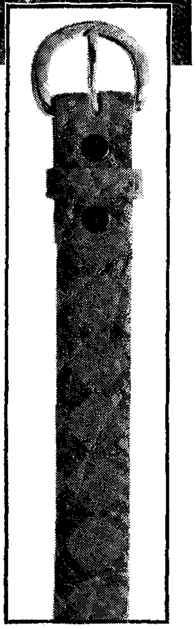

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proceedings and boss the other characters around and lecture them on God and "identity" and "entities," and he does get roped into some slapstick action, and there are a few edged cracks among the players about their being more acceptable if they were only English—all of which would have got right by me if it hadn't been for the author's help. I'm on his side, though; my only objection to his show is that it isn't funny enough. There are vaudeville routines and burlesque routines and old musical-comedy routines and British-comedy routines and television routines and what I can only call cocktail-party imitations (by Patricia Roe) of Dietrich and Mae West and (maybe) Gertrude Lawrence, but few of them register as strongly as they should. The bananas of the cast are Ralph Bell, Arnold Soboloff, and Larry Robinson. Ray Fry plays the critic. The best of them all is Mr. Bell. The musical accompaniment—familiar show tunes—by James Hodges, in derby and shirt-sleeves, at the piano, and Richard Fitz, on the drums, is a big help.

ALTHOUGH Arthur Pittman's "Possibilities" didn't work out, it did not seem a total waste to me, and the actors who performed it certainly appeared to know their way around a stage far better than those we are accustomed to seeing Off Broadway. The play had an idea of sorts but was not strong enough to carry it, and Jerome Kilty's direction did nothing to help. Its heroine, when we first meet her, in 1948, is an awkward, tense, talky virgin, fresh out of Smith, who has a first affair with a young unemployed actor and moves in with him. A phone call from his agent offering him a job with a touring company breaks up the affair. The second act considers, scene by scene, the turns that her life could have taken if the phone hadn't rung. In the third act, set in the present, we see that she has actually become a strident, neurotic woman who has lost her looks and is an embarrassment to her husband and children and everyone else. (It must have taken considerable courage on the part of Elizabeth Hubbard to play her in so uncompromising a fashion.) The most original and interesting performance was that of Richard Jordan, as the actor—a man whose career hasn't even got off the ground, and who is in a state of emotional, moral, and mental suspension. His deadpan and his deadpan voice were not only convincing and enlightening but often funny. Hugh Franklin's vigorous performance as the

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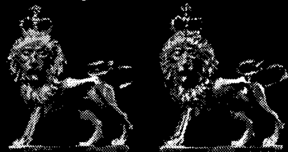

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heroine's raffish father and Neil Vipond's quiet one as her occasional lover were also impressive.

There is no point in discussing the things that went wrong with "Possibilities," although I must note that one of them was that the script was far too literary—too cluttered with quotes and bookish allusions—which made it part of a deplorable trend Off Broadway at the moment. Come to think of it, the lunatic heroes of "Sweet Eros," "Huui, Huui," and a recent thing called "Papers," which wasn't even worth reviewing, were all self-proclaimed writers, and this heroine wants to become one. Perhaps our new dramatists have been lingering too long over their studies, or else consorting too exclusively with their fellow-tradesmen. The mistakes aside, I'd like to list some of the encouraging elements of the show. (1) There were scenes—some fairly successful, some not—in which more than two people conversed together; at one point, I counted eight people onstage, all of them engaged with one another. (2) Mr. Pittman attempted to invent characters of various kinds, and not just give the audience a chance to join him at the mirror. (3) There were no pranks, no whimsey, none of that awful, cute dementia. (4) Viciousness was not passed off as humor. (5) The characters did not call each other by name all the time. (6) Jo Mielziner's settings—slides projected on louvered screens—were exceptionally effective. —Edith Oliver

•

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[*From "My Best Friends Are Apes," by Heinrich Oberjohann*]

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•

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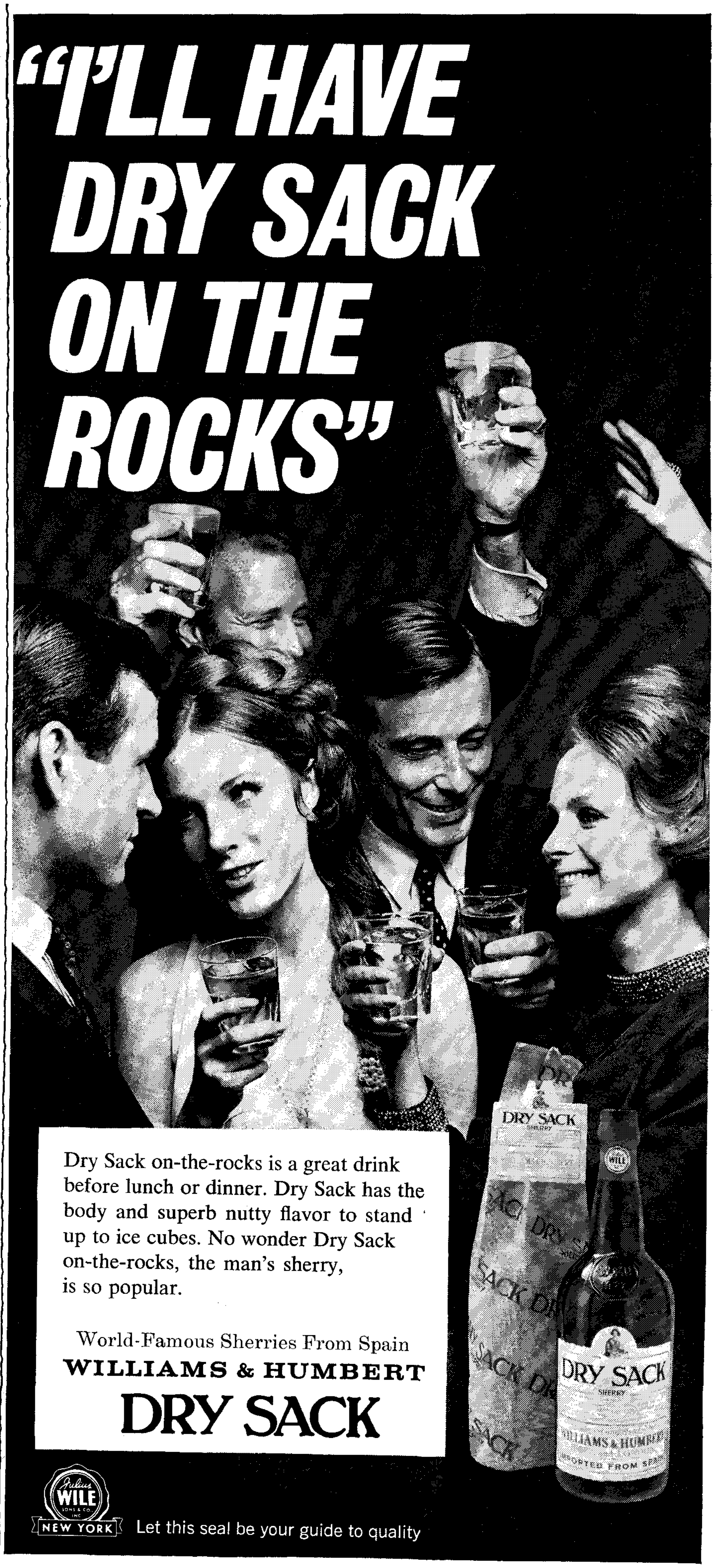

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MUSICAL EVENTS

To Take the Fifth

THERE has always been a certain amount of pious cluck-clucking in "progressive" musical circles about the way the Russian government cracked down on Dmitri Shostakovich for his opera "A Lady Macbeth of Mtsensk," and his subsequent toeing of the official line has been cited as a terrible example of a composer's being forced to give up what we rejoice in as "modern music" and being banished to the company of hopeless conservatives. Indeed, I am convinced that much of the hostility shown Shostakovich's subsequent music by my colleagues is caused by this historical incident and not by listening to the music itself. I do not like all of Shostakovich's later symphonies equally well, but I *do* like the Fifth, which was written immediately after the crackdown, and which I think is one of the great twentieth-century works of its kind. That crackdown does not seem to me to involve "modern music" at all, for the Fifth is every bit as modern as his "Lady Macbeth." The objection by the Russian authorities to the latter work, in my opinion, is for a totally different reason. In "Lady Macbeth," which, by the way, is a wretched opera, Shostakovich showed signs of becoming a satirical composer, and, as everybody knows, nothing frightens the government of the U.S.S.R. like satire. I am convinced that it was the satirical writing in this opera, rather than the dissonances, that set the authorities against him. At any rate, the serious, sober Fifth Symphony impressed me on first hearing, and it continues to hold up well.

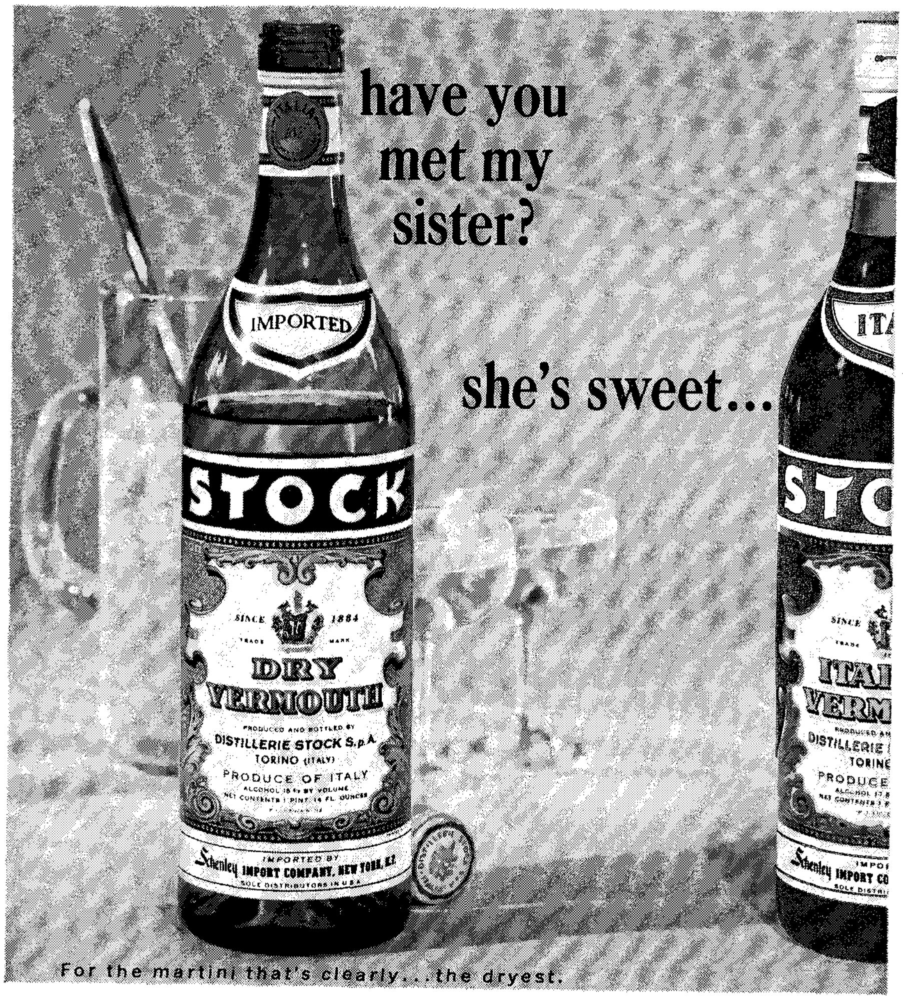
The Fifth turned up again last Thursday night, when Stanislaw Skrowaczewski presented it in Philharmonic Hall with the New York Philharmonic. The more I hear Mr. Skrowaczewski conduct, the more I like him. There is nothing of the exhibitionist about him. He is a very serious maestro, wearing spectacles that make him look a little like a schoolteacher, and he knows just about every secret there is to handling an orchestra. Under him, the sound of the Philharmonic is better than it has been in a long time. His approach to this particular Shostakovich work is painstaking and eloquent, and under his baton many details that are often glossed over were revealed. The soaring second theme of the second movement really soared, and the Mahleresque scherzo, in which Shostakovich is merely paying his respects to one of the greatest symphonists who preceded him—as Beethoven might have done to Mozart, or Strauss to Wagner—was performed with remarkable sensitivity.

Ahead of the symphony on the program was Chopin's Second Piano Concerto, with the Bulgarian-born pianist Alexis Weissenberg as soloist. Mr. Weissenberg is an exceedingly smooth and elegant Chopin player—one whose fingerwork is absolutely perfect and whose tone is always pleasing. But I do not rank him among the very greatest Chopin players of our time. There was a certain lack of emotional involvement about his performance. Nevertheless, here is a pianist to be watched. Mr. Skrowaczewski started off the evening with his own transcription of Bach's great Toccata and Fugue in D Minor, which is such a tremendous virtuoso piece that it makes an enormous effect no matter what sort of combination is playing it. Actually, Mr. Skrowaczewski's transcription is not very different from the ones Leopold Stokowski was severely criticized for years ago. It is big, booming, and impressive. No doubt a few Baroque purists in the audience could be found wringing their hands. As for me, I enjoyed it.

LAST week was a bad one for performers susceptible to the flu. On Wednesday night, I attended a piano recital by the Cuban pianist José Echaniz in Philharmonic Hall—a Liszt recital, whose program contained a number of seldom played compositions, including the "Weinen, Klagen" Variations. Mr. Echaniz started out well, and he is obviously a man with a formidable technique. But before the first half of the program was over, he began to fumble here and there. The second half of the concert was called off because, it was announced, he had been taken ill.

SOMETHING similar happened at Monday night's performance of "La Sonnambula" at the Metropolitan Opera House. John Alexander, a tenor I have always admired for his musicianship and taste, was doing the role of Elvino. He sang the first act splendidly, but by the time the second was well along, he was singing in whispers, and during the second intermission an announcement was made that he could not continue. George Shirley, another admirable tenor, took his place, and, considering the short notice, sang very well indeed. But Mr. Alexander's illness was not all that plagued this performance. Joan Sutherland, the Amina, sang rather poorly, arousing some speculation as to whether she is not singing as well as she once did or whether she was simply not in good voice. The usual Sutherland brilliance was absent. Colette Boky, the Lisa, sang her opening aria with agility enough but without style. (The best singing of the evening was done by Bonaldo Giaiotti, a magnificent bass, who had the role of Count Rodolpho.) Other things, too, were wrong with this performance. The sets for this production are among the Met's most miserable, and the conducting of Richard Bonynge was woefully ineffective. I am aware that Mr. Bonynge is a specialist in the *bel-canto* operas. But a conductor who sets out to follow the singers with doglike devotion is likely to have problems with Bellini, who is a composer of long, leisurely vocal lines. Mr. Bonynge lost control of these lines, producing a flabby mishmash.

LAST Friday night, I dropped in at the New York State Theatre to see the New York City Ballet's "The Nutcracker," an innocent but enjoyable affair that comes up at this time every year for the delectation of both children and adults. As a matter of fact, a good many children got to stay up late that night; the house was full of them. As it happens, a series of matinée performances is being presented through the end of the month. Mr. Balanchine's "Nutcracker" is remarkable for its refinement. It is also a magnificent spectacle, with mice (one a supermouse with seven heads), child dancers, soldiers, snowflakes, and so on and so on. It has been thoroughly redone since I last saw it (which was nearly ten years ago), and, if I remember rightly, a good many changes have been made. For one thing, the last scene has a veritable city of candy and ice cream in the background—the sort of thing that Piranesi might have created if Piranesi had worked with candy and ice cream. This was, of course, the palace of the Sugar Plum Fairy, and Patricia McBride, dancing the role of that worthy, was entirely enchanting as she showed off the won-



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ders of her court to the dreaming children. She was partnered—brilliantly, as usual—by Edward Villella.

—WINTHROP SARGEANT

POPULAR RECORDS

À la Mode

"WHAT'S AN UGGAMS?" (Atlantic), a collection of ten studio performances by the singer Leslie Uggams, affords us an interesting glimpse into the Tin Pan Alley of today—into the more formal kinds of songwriting, as distinguished from the rock field. (Many of today's rock "combos," a somewhat awestruck sound engineer told me not long ago, are one-man, shot-in-the-dark efforts in which a composer-musician, renting a studio and hiring an engineer, creates the sound of a group by means of multiple-track recording, and the end product, like that of a majority of rock groups, rarely lends itself to sheet-music notation.) Miss Uggams herself is the familiar suave, vibrant, and carefully depersonalized performer whose art is the result of natural gifts tempered by various demands—those of commercial television, those of the temporary rest homes for the middle-aged that are comfortingly identified as supper clubs, and, most recently, those of the Broadway musical stage. Three of her selections—"River Deep, Mountain High," a commonplace item with rock origins, and "The Wrong Man" and "Just for Today," a pair of more or less conventional show tunes ground out for a recent Broadway attraction in which Miss Uggams appeared—can be discounted at the outset. But the others, and especially four of them, attest to the widespread changes that have taken place in the formal pop song—the song that is written with the mind and heart, and with such common accessories as pencil, paper, and piano.

The four I refer to are ballads by the remarkably talented and successful team of Burt Bacharach (music) and Hal David (words). Expressing sentiments that are at least as old as the foxtrot (I could name at least one ancestor of each), they are entitled "What the World Needs Now (Is Love, Sweet Love)," "Any Old Time of the Day," "In the Land of Make Believe," and "Let the Music Play." However, although they pay token obeisance to the almost obligatory aaba and abac song forms of past generations, they do so in the most casual and deceptive fashion, ignoring the once mandatory thirty-two-bar form (with variants) in an easygoing man-

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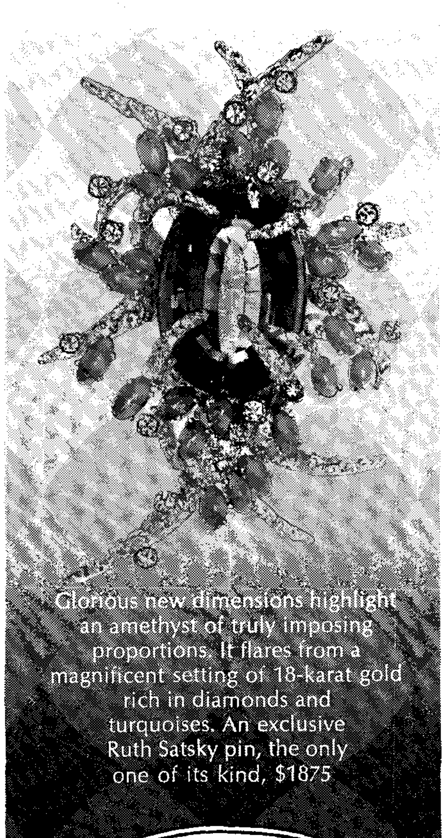
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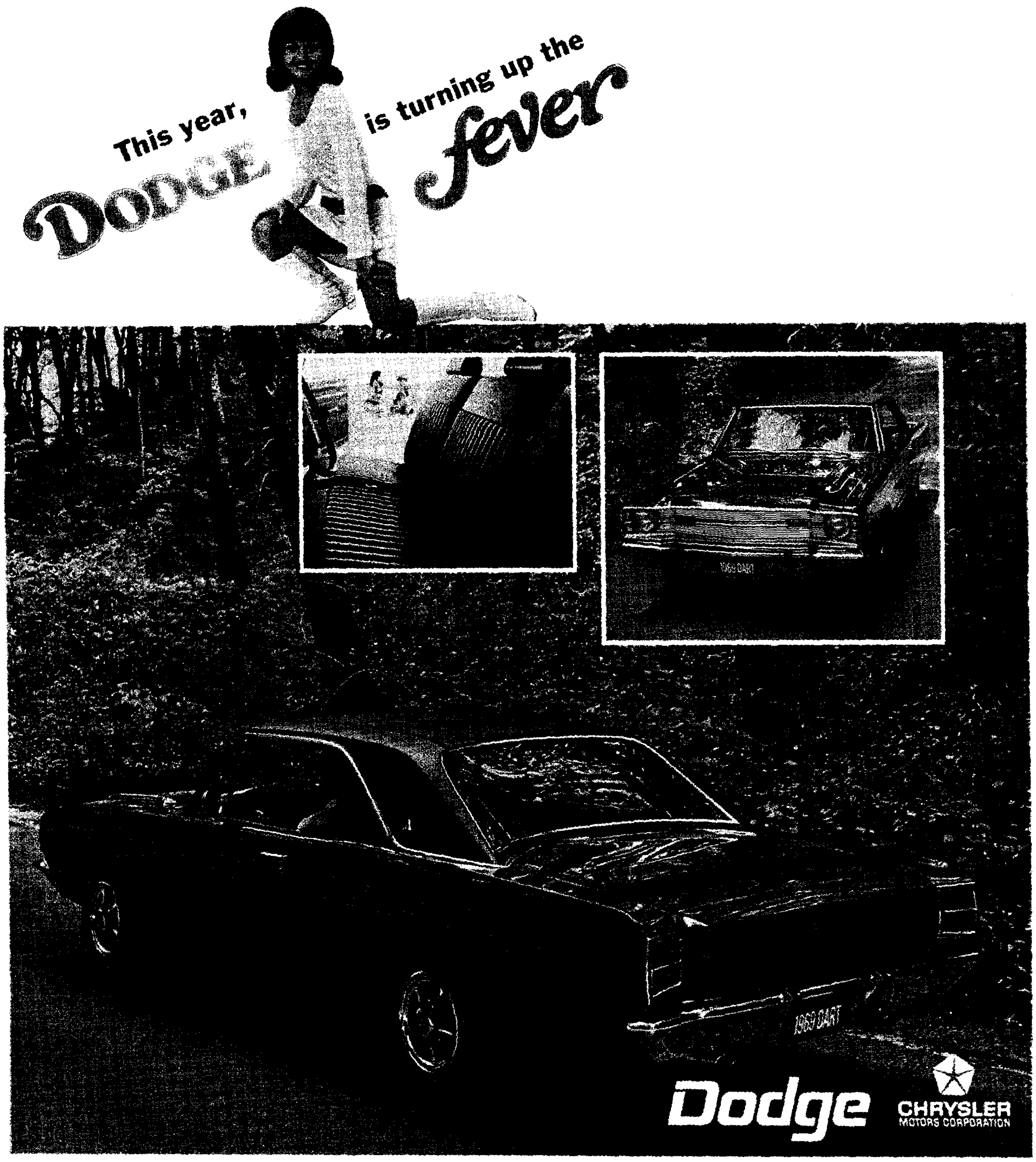
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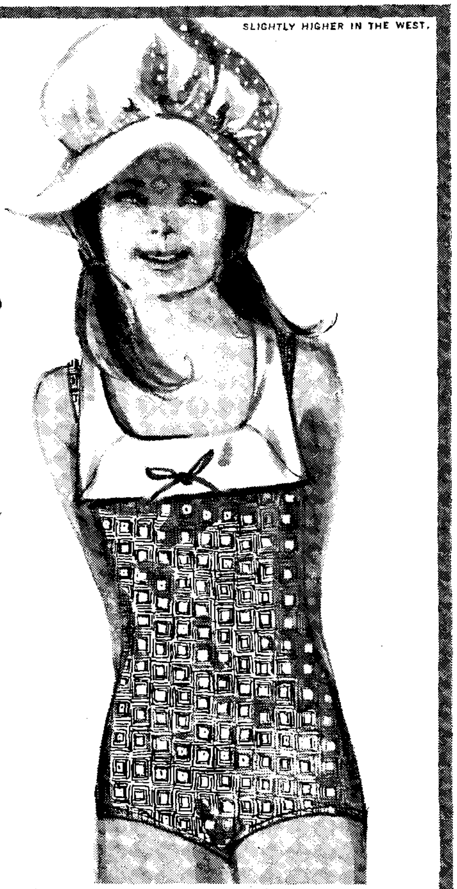
ner in which unexpected modulations and melodic turns and rhythmic devices play a part, leaving one unprepared at first hearing for what is to follow each successive phrase. Whatever lasting appeal Bacharach's songs may possess ("Alfie," "Wives and Lovers," the aforementioned "What the World Needs Now," and a few others have become standards of a sort), it is clear that he is a distinctive popular composer, and if, as it seems to me, a certain blandness affects the Bacharach-David canon, the fault may lie largely with the lyrics. The four examples at hand are pleasingly presented by Miss Uggams. She fares less well with the three remaining numbers, for which another fairly new team, Jerry Leiber and Mike Stoller, is responsible. One, a rapturous love song called "Flying," she manages tidily, but the others—to me far and away the most arresting songs on the record—present challenges that escape her. A sardonic and perhaps over-lurid piece bearing the title "Is That All There Is" derives from Kurt Weill—specifically, if in an oblique way, from the Weill-Ira Gershwin opus "Jenny," out of "Lady in the Dark." It tells, in an alternating pattern of narrative and refrain, of a young woman who has been jaded since childhood and who is confident that Judgment Day will prove a disappointment, too. Even if one assumes that some sections have been eliminated (and I have no way of knowing this), the objects of the singer's disenchantment—a burnt-out childhood home, an unmagical circus, and a fruitless love affair—are unconvincing, but there is a solid, though unrealized, idea here, and the refrain is striking. Miss Uggams falls short in the spoken passages, which she reads with all the awkward care of a band singer. It is really a song meant for a *diseuse* on the order of Dietrich rather than for a vocalist. And, finally, we come to "Some Cats Know," a purringly explicit declaration of wantonness that demands a comedienne's mocking interpretation. Miss Uggams plays it too close for comfort. It is, for all that, an effective number, and the Messrs. Leiber and Stoller, like the Messrs. Bacharach and David, do much to advance the cause of sophisticated popular music. The orchestral accompaniments are at all times slickly professional, and sometimes better than that.

THERE have been some other recent arrivals of merit, too:

JUST A DREAM AGO (Dot)—Rita Moss, a singer and instrumentalist (she doubles on piano and electric



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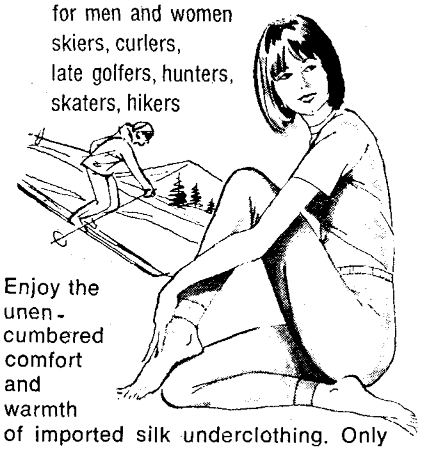

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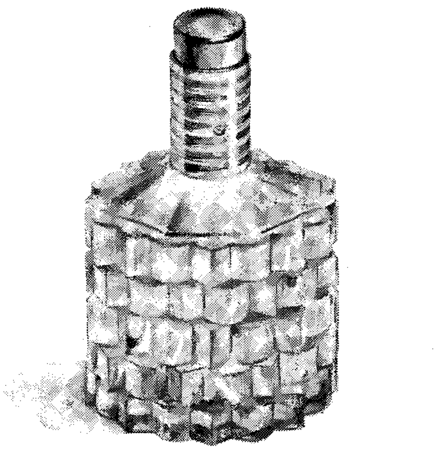
organ) with whose work I was previously unfamiliar, is a thoroughly engaging soft-sell performer with a sweet, pure, and unusually flexible soprano of wide range, and, in the work that gives the album its title—a witless emasculation of the Puccini aria "Un bel dì"—and in selections both old ("I Cried for You" and "You Are My Sunshine") and new ("Hushabye Mountain" and "I'm the Singer, You're the Song"), she discloses a sure and appealing approach to her art. One might ungratefully add, though, that her "Lullaby of Birdland" piano solo, since it carefully avoids any explicit statement of the melody, could just as easily have been identified as "Love Me or Leave Me," the Walter Donaldson tune on which George Shearing's "Lullaby" is merely a clever variation. Miss Moss accompanies herself, with bass and drums alongside, in three of her eleven numbers, and is backed by full orchestra in the rest.

THE THIRD WOODY ALLEN ALBUM (Capitol)—Here is a recording of some of the funny routines that this least aggressive of the standup comics—a subtle megalomaniac, if you will—has been favoring nightclub audiences with during the past year or two. It is what the trade likes to call a "live" performance—in this case, one in which the audience laughter sounds uncommonly convincing, and which took place at a now defunct San Francisco branch cabaret named Eugene's.

MISS ETHEL WATERS (Monmouth-Evergreen)—Miss Waters, who, there is every reason (voice, technique, originality) to believe, is the one truly great, compleat popular singer this country has produced, turned late in her career to a travelling song recital (it did not travel far, more's the pity) entitled "An Evening with Ethel Waters," in which she was assisted by her longtime piano accompanist Reginald Beane. Together, they made a wonderful attraction, and this is a collection of snippets from various performances that were taped in the late nineteen-fifties and are now being released for the first time. The voice has long since begun to fray, but the warmth, ardor, and flashing insights are still intact as Miss Waters sorts through the past with "Am I Blue?," "Dinah," "Porgy" (the pre-Gershwin, Fields-McHugh report on the subject), "Stormy Weather," "St. Louis Blues," the "Cabin in the



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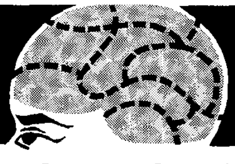

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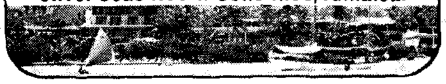


Sky" excerpts ("Taking a Chance on Love," "Cabin in the Sky," and, from the film treatment, "Happiness Is Just a Thing Called Joe"), "His Eye Is on the Sparrow," two numbers in which Beane raises his voice delightfully ("Bread and Gravy" and "Lady Be Good"), and, among other things, a rending "Supper Time." Note: Monmouth-Evergreen has also reissued sixteen performances, collected here and there, by the singer Mildred Bailey, in many of which she is accompanied by a group under the xylophonist-vibraharpist Red Norvo, but I see no reason to comment on them further, inasmuch as Columbia Records covered the Bailey career more thoroughly and more satisfyingly in its three-record set of some years back, "Mildred Bailey, Her Greatest Performances (1929-46)." It also seems germane to mention here that a younger Ethel Waters makes an appearance on Columbia's recently released "Blackbirds of 1928"—an unusual recording in which there can be heard, besides Miss Waters, such outstanding entertainers of the time as Bill (Bojangles) Robinson, Adelaide Hall, and Cab Calloway, and the Duke Ellington and Don Redman orchestras—and on the same firm's "Ethel Waters," a collection of her performances of songs (many are the same ones that are heard on the Monmouth-Evergreen release) taken down between 1925 and 1940.

—Douglas Watt

• •

A DESERTED BARN

I am a deserted barn—
my cattle robbed from me,
My horses gone,
Light leaking in my sides, sun piercing my tin roof
Where it's torn.
I am a deserted barn.

Dung's still in my gutter.
It shrinks each year as side planks shrink,
Letting in more of the elements,
and flies.

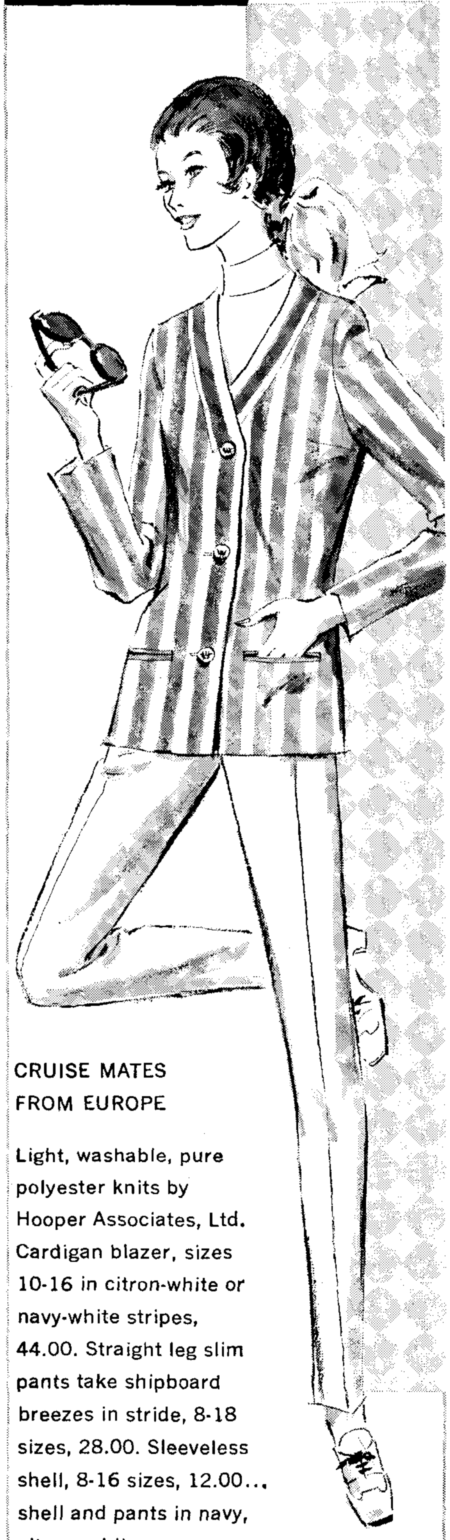
Worried by termites, dung beetles,
Maggots, and rats,
Visited by pigeons and hawks,
No longer able to say what shall enter,
or what shall not,
I am a deserted barn.

I stand in Michigan,
A gray shape at the edge of a cedar swamp.
Starlings come to my peak,
Dirty, and perch there;
swallows light on bent
Lightning rods whose blue
Globes have gone to

A tenant's son and his .22.
My door is torn.
It sags from rusted rails it once rolled upon,
Waiting for a wind to lift it loose;
Then a bigger wind will take out
My back wall.

But winter is what I fear,
when swallows and hawks
Abandon me, when insects and rodents retreat,
When starlings, like the last of bad thoughts, go off,
And nothing is left to fill me
Except reflections—
reflections, at noon,
From the cold cloak of snow, and
Reflections, at night, from the reflected light of the moon.

—L. Woiwode



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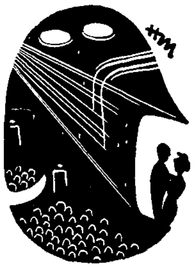
THE CURRENT CINEMA

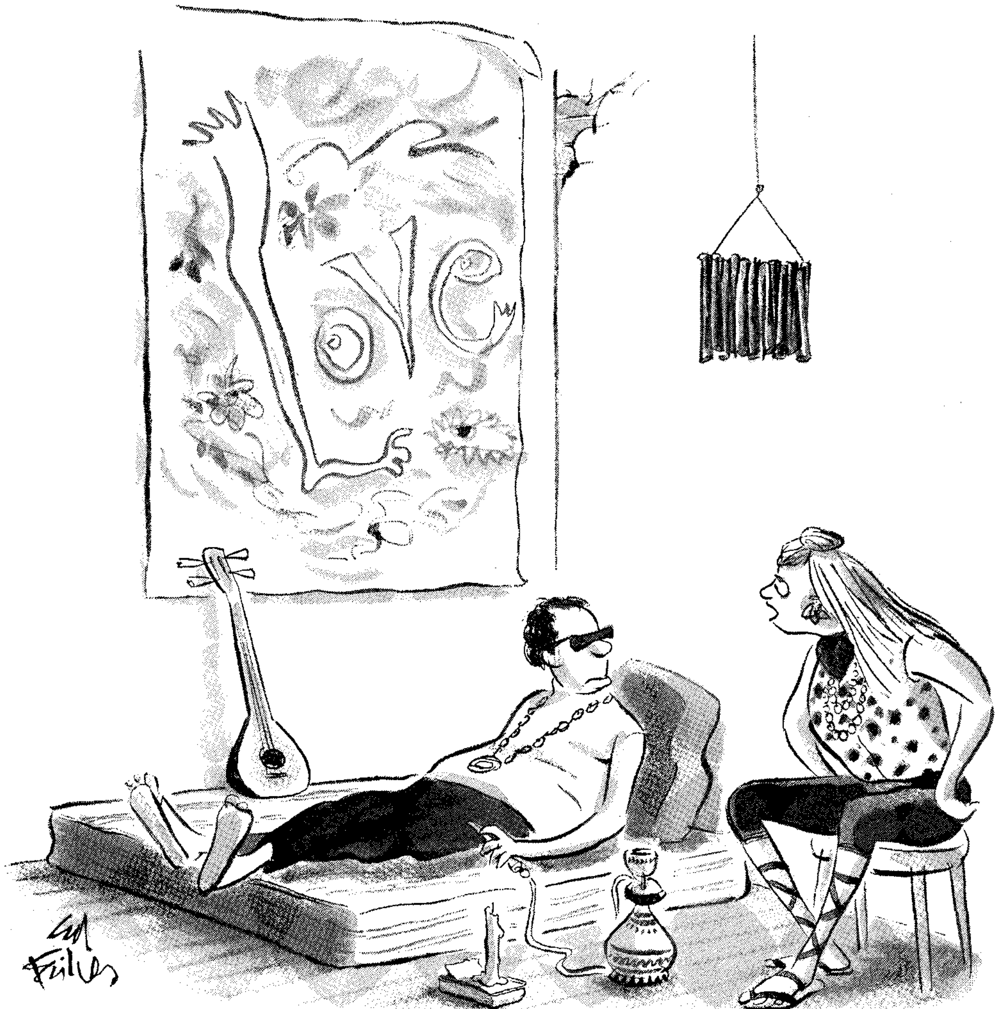
The Concealed Art of Carol Reed



Carol Reed has just made the kind of movie they don't make any-more, and it's as good as ever—maybe better, coming when it's more difficult to do. Maybe the most revolutionary thing that can be done in movies at the moment is to make them decently again. "Oliver!" has been made by people who know how; it's a civilized motion picture, not only emotionally satisfying but so satisfyingly crafted that we can sit back and enjoy what is going on, secure in the knowledge that the camera isn't going to attack us and the editor isn't going to give us an electric shock. It's not an innovative work or a disturbing work, it does not advance the art of the film, etc., but if we don't admire the real thing in fine big-studio methods, then we probably can't perceive what is *new* in movie art, either. Carol Reed is in the tradition of the older movie artists who conceal their art, and don't try to dazzle us with breathtaking shots and razor-sharp cuts. They are there, all right, but we hardly notice them, because there is always a reason for the camera to be where it is; the camera and the complex, unobtrusive editing serve the story. "Oliver!" is not put together like TV commercials and it doesn't have a psychedelic look or a rock beat, but neither is it rotting on the screen, like "My Fair Lady." Reed uses tact and skill to tell a story that can be enjoyed by "everyone," and it's a very great pleasure to see a movie that can be enjoyed by everyone that one really does enjoy. There's something restorative about a movie that is made for a mass audience and that respects that audience.

Though "Oliver!" is not presented realistically, we become involved in the material—more consciously involved than we do in realistic movies. The tone of the picture is set in the opening sequence, in the children's workhouse, when Oliver's "Please, sir, I want some more" leads into a choreographed children's riot. The stylization encourages us to notice the conventions of the story as we are enjoying the story. It seems to put quotation marks around everything Dickensian, yet not in a cloying way—rather, in a way that makes us more aware of some of the qualities of Dickens' art. It's as if the movie set out to be a tribute to Dickens and a comment on his melodramatic art as well as to tell the story of Oliver Twist. The set designs—a remarkable blend of realism and stylization, by John Box—are an enormous aid in this. Similarly, Reed has got from little Mark Lester, as Oliver, what in an adult would be called Brechtian acting. We can sit there and enjoy the beauty and wit of the child's performance, because we are never pushed over into realism and pathos. Music is the most painless of all alienating devices; the songs provide the distancing that enables us to appreciate Dickens' pathos intellectually. Reed sustains the tone that tells us it's all theatre, and he's a gentleman: he doesn't urge an audience to tears, he always leaves us our pride. He offers his gifts modestly. Typically, the best moment is a quiet one. Oliver, who has been listening to "Who Will Buy?," the lovely early-morning song of the tradespeople in Bloomsbury, walks along singing a few bars to himself, and it is probably the most delicately beautiful reprise in movie-musical history.

No one who sees this movie is likely to say, "But you should have seen 'Oliver!' on the stage!" On the stage, it was the kind of undistinguished musical that people took their children to, dutifully. Though not on a level with "The Sound of Music," it had that detestable kind of mediocre respectability; it was an English version of Broadway Americana, and I walked out on it. The material in "Oliver!" has been more than a little transformed. I hate to describe the Lionel Bart score as adequate—which always really means inadequate to one's hopes—but, at least, it's well sung. And though there is a Broadway-London sound and an awful kind of commercial thinking in numbers like "You've Got to Pick a Pocket or Two," the good voices and the playful performing spirit often suggest Gil-



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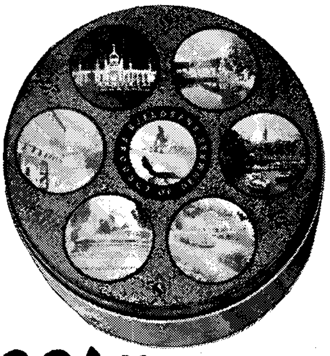

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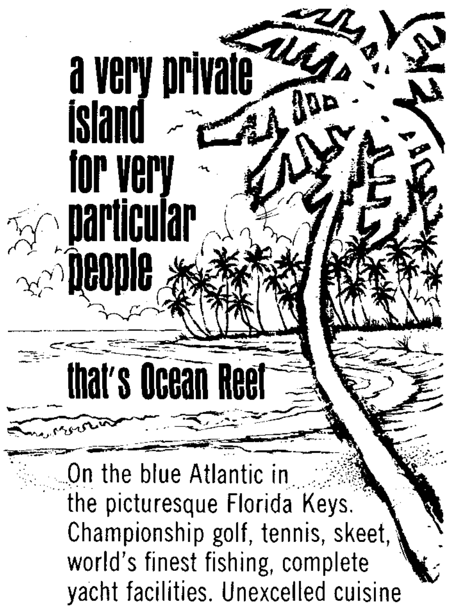
bert and Sullivan. Ron Moody, as Fagin the fence, is a controlled singer-actor, and his performance grows and becomes very impressive. As Nancy, Shani Wallis is an unexpected pleasure—hearty (as Dickens described her), with a tough vitality that brings poignancy to the role, though her solo "As Long As He Needs Me" has that designed-to-stop-the-show vulgarity which is not redeemable when the song is as poor as this one. I never thought I'd have cause to praise Oliver Reed, but as Bill Sikes he has found the right outlet for his peculiar talents. The choreographer, Onna White, can take a banal song and a banal conception of a routine and build them up until the number becomes so effective it's just about irresistible; you can hardly help feeling elated, even though you're aware of the whole synthetic process. Her talent is not one I respect, but she succeeds where many others fail. The musical numbers emerge from the story with a grace that has been rarely seen since the musicals of René Clair. It isn't really surprising that Carol Reed, a master of planned montage, should be so adroit. Still, he was a young man when he made his last musical (thirty years ago), and we tend to think of him as the director of suspense films ("Night Train," "The Fallen Idol," "The Third Man," "The Man Between," "Our Man in Havana"), social dramas, and stories of outcasts ("The Stars Look Down," "Odd Man Out," and the brilliant commercial failure "Outcast of the Islands"). He has always had a gift for handling children; the last example was in his generally underrated "A Kid for Two Farthings"—a realistic fantasy with a number of resemblances to "Oliver!" Like the boy in "A Kid for Two Farthings," Mark Lester and Jack Wild (the Artful Dodger) suggest that childhood is a period of fable, a period in our lives that we look back on as if we had dreamed it all. They are bemused in the midst of activity. The movie of "Oliver!" is much more than the stage production could be; it's not only a musical entertainment but a fine, imaginative version of "Oliver Twist" that treats the novel as a lyrical, macabre fable.

Dickens wrote "Oliver Twist" to counter seductive stories of criminal life—specifically, "The Beggar's Opera," with its gallant thief-hero. "To draw a knot of such associates in crime as really did exist; to paint them in all their deformity, in all their wretchedness, in all the squalid misery of their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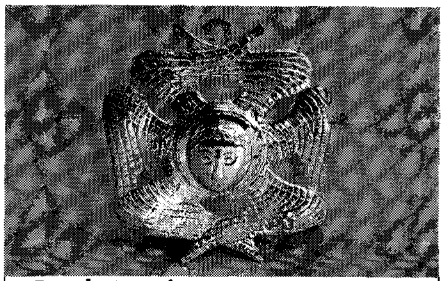

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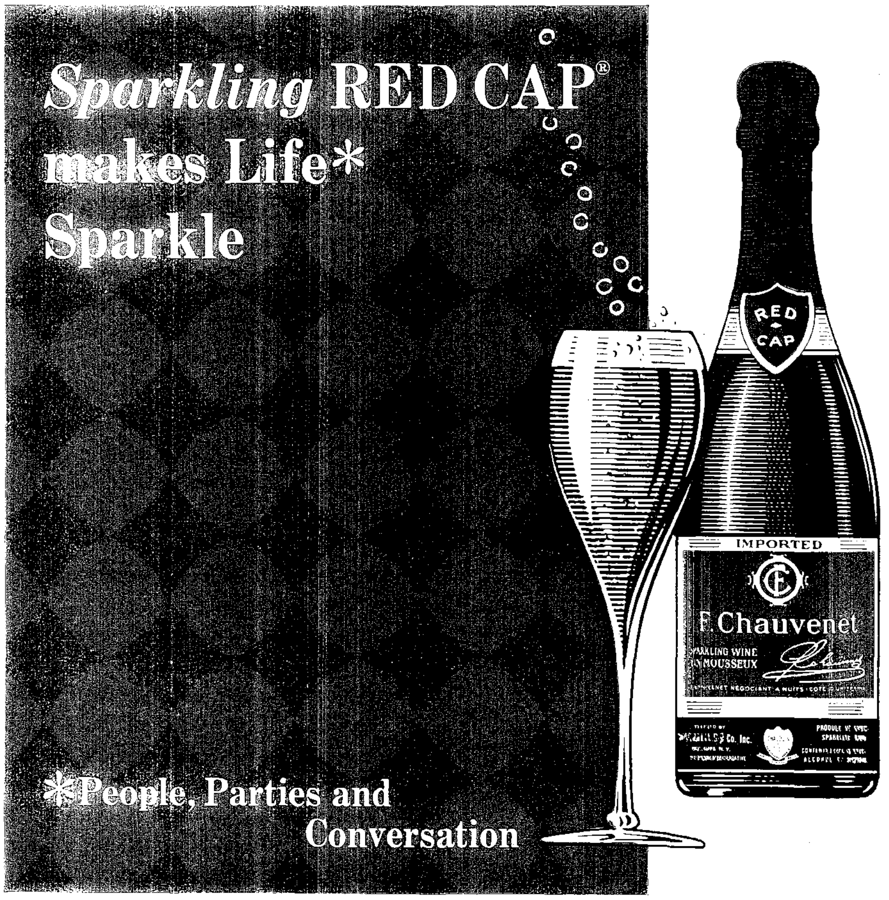
lives; to show them as they really were, for ever skulking uneasily through the dirtiest paths of life, with the great black ghastly gallows closing up their prospect, turn them where they might; it appeared to me that to do this, would be to attempt a something which was needed, and which would be a service to society." And so it may seem ironic that "Oliver!" turns his book into what it was supposed to be against; Bart's libretto for "Oliver!" resembles "The Beggar's Opera," though it is much inferior to it. But perhaps it's not really so ironic; Dickens, only twenty-five when he wrote the novel, had already made low life commercially acceptable with the first of those great, silly, rhyming plots of his, and, later in life, he gave lurid public readings of the murder of Nancy. (Well pleased with one performance, he wrote, "We had a contagion of fainting. . . . I should think we had from a dozen to twenty ladies taken out stiff and rigid at various times!") And it's clear in reading "Oliver Twist" that, despite his cautionary purpose, Dickens fell in love with his scoundrels and couldn't do anything with his proper characters. (The movies have done better by them, and much better than Cruikshank, whose drawings of Oliver made him so bleakly virtuous he looked malformed.) Bart has taken the next step—an extension not of what Dickens the pamphleteer thought he was doing but of what Dickens the emotional artist did. Bart has left only one unlovable villain—Bill Sikes. It's scarcely the first time in the history of the arts that a work written to break with a tradition has seemed in subsequent years to be much closer to that tradition than the rebel realized. This is almost a résumé of the development of any art.

"Oliver!" is much easier to take than the very fine non-musical film version of "Oliver Twist" produced in 1948, and I don't think the softening of this particular material is to be lamented. There were scenes in the David Lean film that were simply too painful, and the trumpery of the Dickensian plotting was too stylized and conventional to go with the pain of the child's suffering and the horrible murder of Nancy. (I know in my bones why those women turned rigid.) In this new version, in which the whole story is stylized and the suffering and murder become conventions in themselves (as in an opera), the plot is entertainingly functional. When men sing about what rogues they are, when children sing about how hungry they



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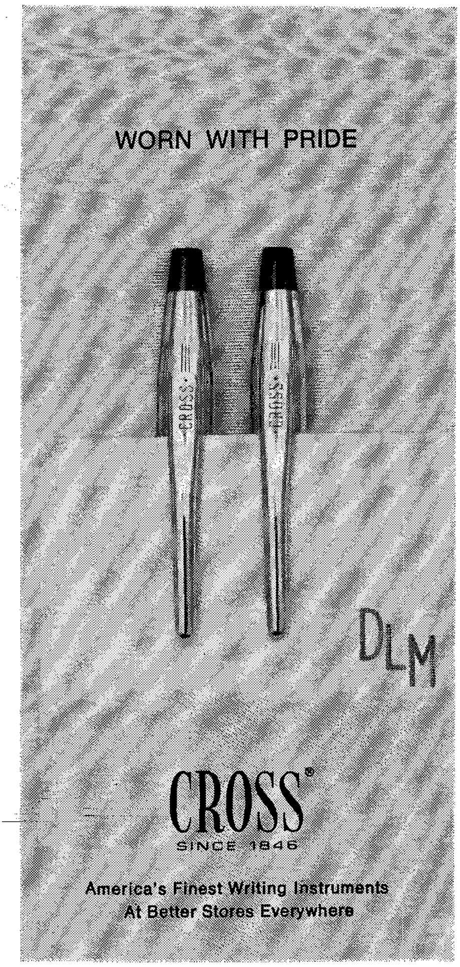

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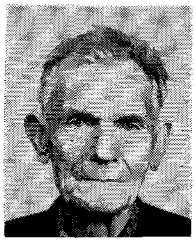

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are, they are domesticated. (This is probably why the villain Bill Sikes does not sing, though in an opera, as opposed to this musical-theatre form, he would doubtless have had an aria to express his anguish over his foul deeds.) One villain is enough, really; we simply cannot take the melodramatics of wickedness and virtue the way nineteenth-century readers did, and the omission of the mechanism of the mistreatment of Oliver (that whole apparatus of the half brother and the will) is a blessing—and not only because it's too much freight for a musical to carry. Closer fidelity to Dickens' text and his warnings about the perils of a sinful life would make the work not more realistic but quite absurd; it would turn into Camp.

I admire the artist who can make something good for the art-house audience, but I also applaud the commercial heroism of a director who can steer a huge production and keep his sanity and perspective and decent human feelings as beautifully intact as they are in "Oliver!" I'm not being facetious when I suggest that the quiet, concealed art of good craftsmanship may be revolutionary now. It's more difficult than ever before for a director to trust his accumulated knowledge and experience, because on big commercial projects there's so much pressure on moviemakers to imitate the techniques of the latest hit, to be "up to date," which means always to be out of date. The camera pranks and the flamboyant scissorwork that seem so creative to young filmmakers are easy, and because they express nothing much deeper than Mod alienation and fragmentation, they're consumed by TV specials—if the commercials don't get them first. Artists like Carl Dreyer and Robert Bresson have pointed the way to a pure, austere style, and Jean-Luc Godard, the major new influence, has been evolving a technique that depends on long takes. The period of the cutups may be over—among movie artists, that is; the hacks are just beginning to call for scissors and strobes. In this context of a search for new ways of *integrating* material on the screen, the unostentatious work of a man like Carol Reed may be both behind and ahead of what is now exhaustingly fashionable. —PAULINE KAEL

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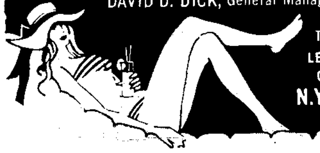

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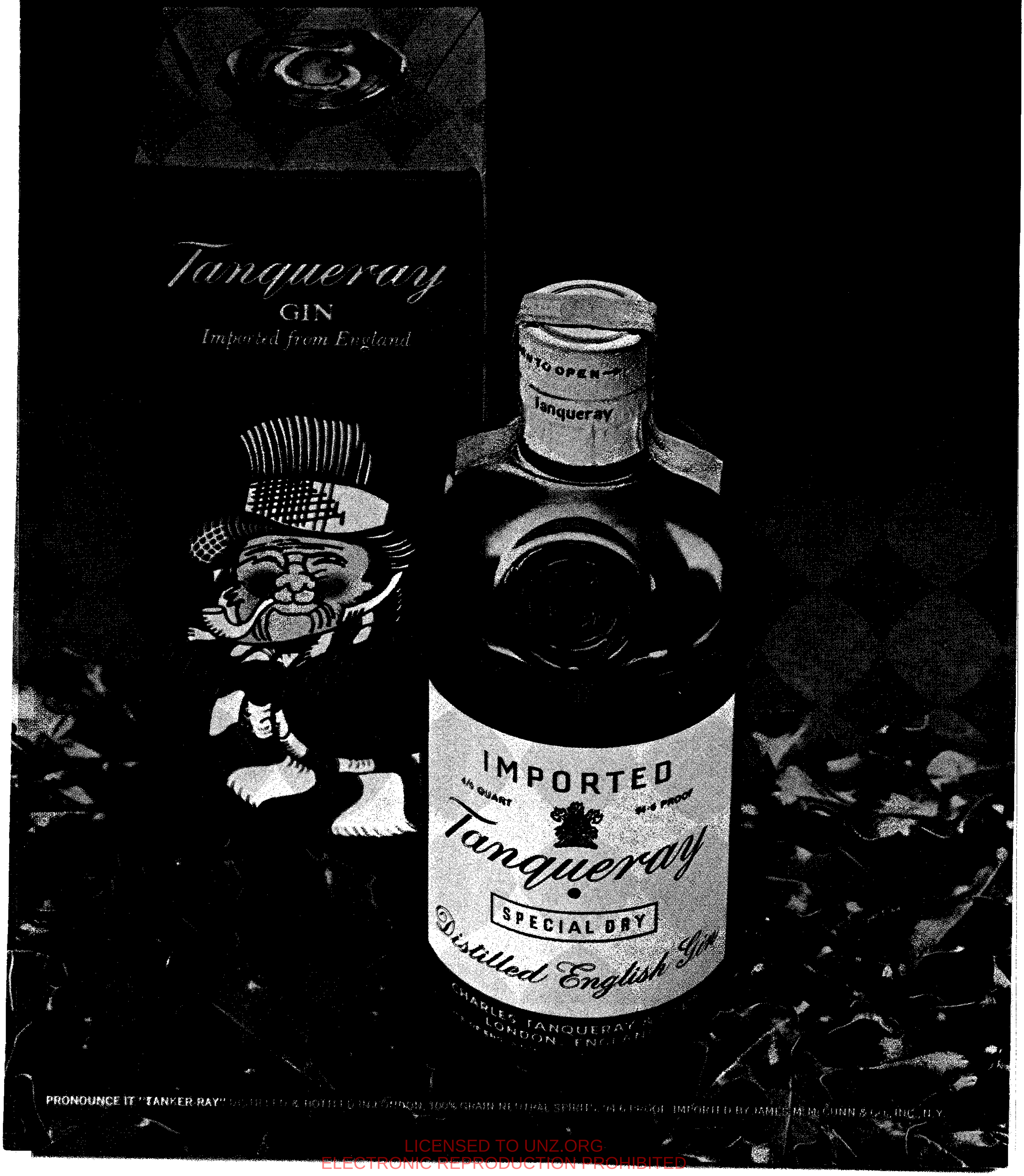
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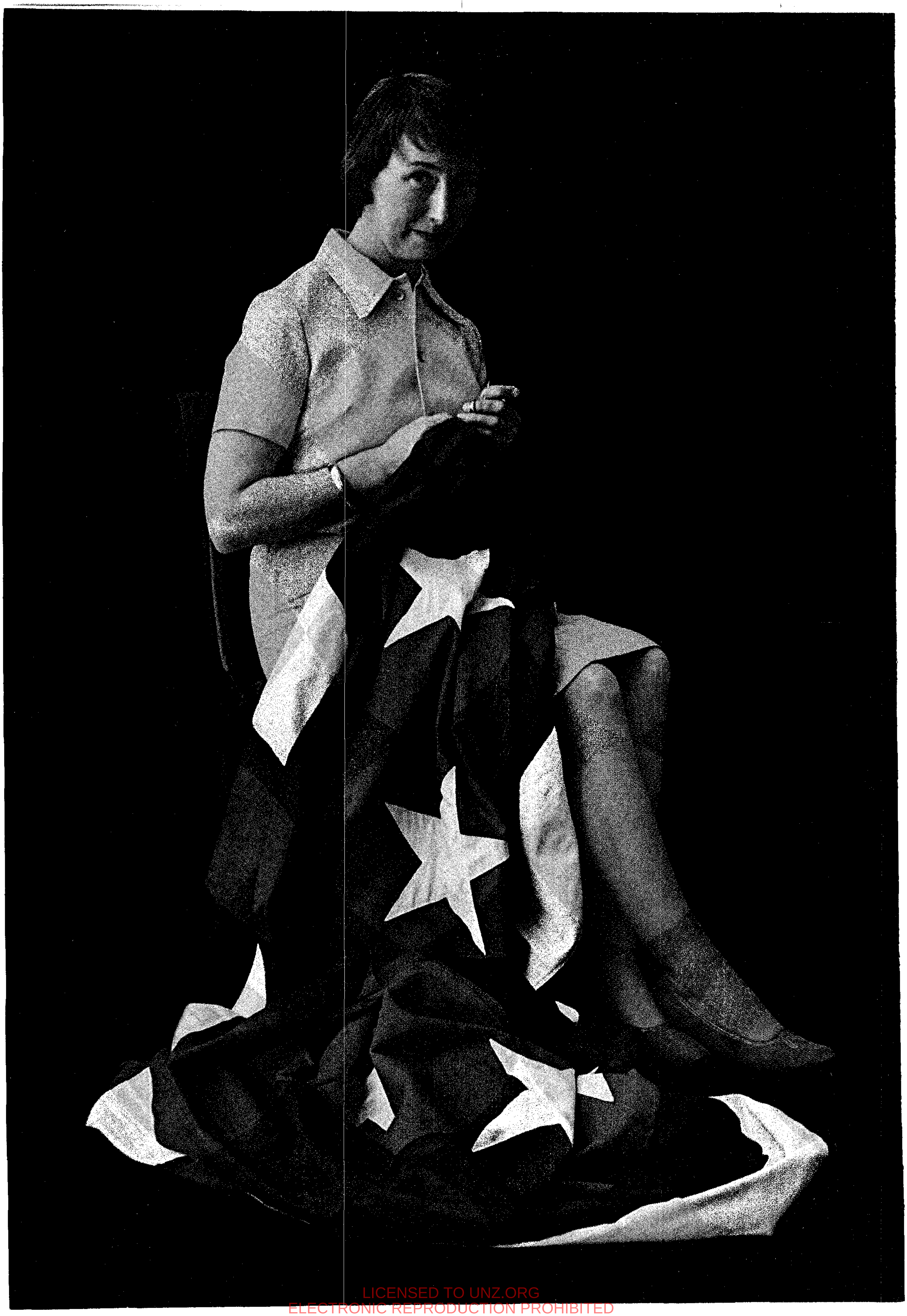

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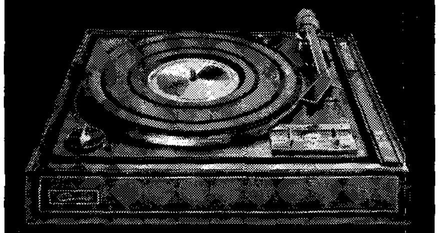

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THE RACE TRACK

The Long Pull

THE Display Handicap, which is at two miles and is the final stakes race of the year in New York, has never had the overcrowded, white-hot competition that many less important fixtures have. It touched a new low last weekend. So many of the thirty-seven runners nominated for the fifty-thousand-dollar event had left for Florida, California, or winter quarters that only four went to the post at Aqueduct last Saturday. They were Fast Count, Muse, Sly Bird, and Suteki, and they finished in the order named. Like all racetrackers, trainers are second-guessers, so I venture to say that when Hirsch Jacobs, who is sunning himself in Florida, saw the overnight entries, he had a twinge of regret that he hadn't put hard-working old Straight Deal in the Display. She was fourth in the Firenze at the Big A on Thanksgiving Day, and she would have been a sure thing to get some part of the purse, which would have moved her many dollars nearer to being the leading money-winner of her sex this season. She's not awfully far away as it is.

As I am sure you know, the Display was named for the Iron Horse, as they called him in the middle twenties. He ran a hundred and three times, at all distances, usually under high weights, and he would have won more races than he did if it hadn't been for his unmanageable behavior at the barrier. He was a nightmare for assistant starters. The only one I knew who could handle him was Boots Dickerson, but then Boots could have eased the Twentieth Century Limited down to a walk. As a race, the Display had all the dullness of a success story. Suteki jumped off in front at the start and led by lengths until he ran out of speed after a little more than a mile, whereupon Fast Count, who had been in a good position on the rail, moved easily into the lead. He passed the winning post seven lengths ahead of Muse, who was a further ten in front of Sly Bird. Muse and her rider, Cordero, were the disappointments of the afternoon. He didn't hurry Muse for the first mile, which was run in 1:38⅖ (the second was run in 1:45⅕), and when he called on her she didn't respond. Needless to say, Cordero was booed. As you may remember, Fast Count, who hadn't done much since he won the Massachusetts Handicap for C. V. Whitney back in 1966, was sold last June for $80,000 to the Syl George Stable, which turned him over to Everett King, who also trains Dark Mirage. Fast Count's share of the purse was $36,205. Speaking of Dark Mirage, she left Belmont Park for Santa Anita in a motor van the day after the Display.

HORSEPLAYERS at Aqueduct last week seemed as deeply absorbed in Cordero's contest with Pineda, a jockey in California, for riding honors of the year as they were in picking winners. And they strung along with Cordero in a number of races. In six days, he accepted forty-five mounts and had eleven winners. One day, he had none in eight tries. Later in the week, however, he had three winners the same afternoon, and the next day four. Last Saturday, he had two. Then he flew to San Juan and rode at El Comandante, and from there he went on to Tropical Park in Miami, where he'll finish the season. Cordero did all right on Sunday, riding three winners and increasing his total to three hundred and ten. However, he had no luck in the Clasico Internacional del Caribe, which was won by Wiso G., a Puerto Rican homebred. Cordero's mount, Falopito, led by ten lengths for the first half of the mile and a furlong, tired badly, and finished far behind the leaders. Incidentally, Sunday was El Comandante's biggest day, with a crowd of more than twenty-eight thousand aficionados betting $543,247 in the tote. Pineda also kept up his pace, riding on Sunday at Agua Caliente, in Mexico. He had four winners, but that left him still four behind Cordero.

WELL, the hearing of the Dancer's Image case before the Kentucky State Racing Commission rumbled to a close in Louisville last Saturday. (It had been charged that when Peter Fuller's colt finished first in the Kentucky Derby last May he had Butazolidin in his system, which is against the state's rules of racing, so his number was taken down.) According to my favorite statistician, there were eighty hours of expert testimony and cross-examination, in fourteen sessions, spread over three weeks. Now the five-man commission is no doubt in the throes of its deliberations. Whether they will be over and we will have a ruling before Christmas is anyone's guess.

—AUDAX MINOR

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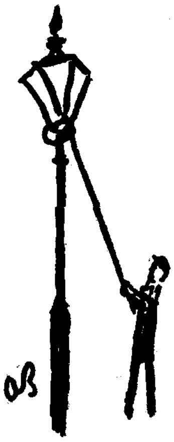
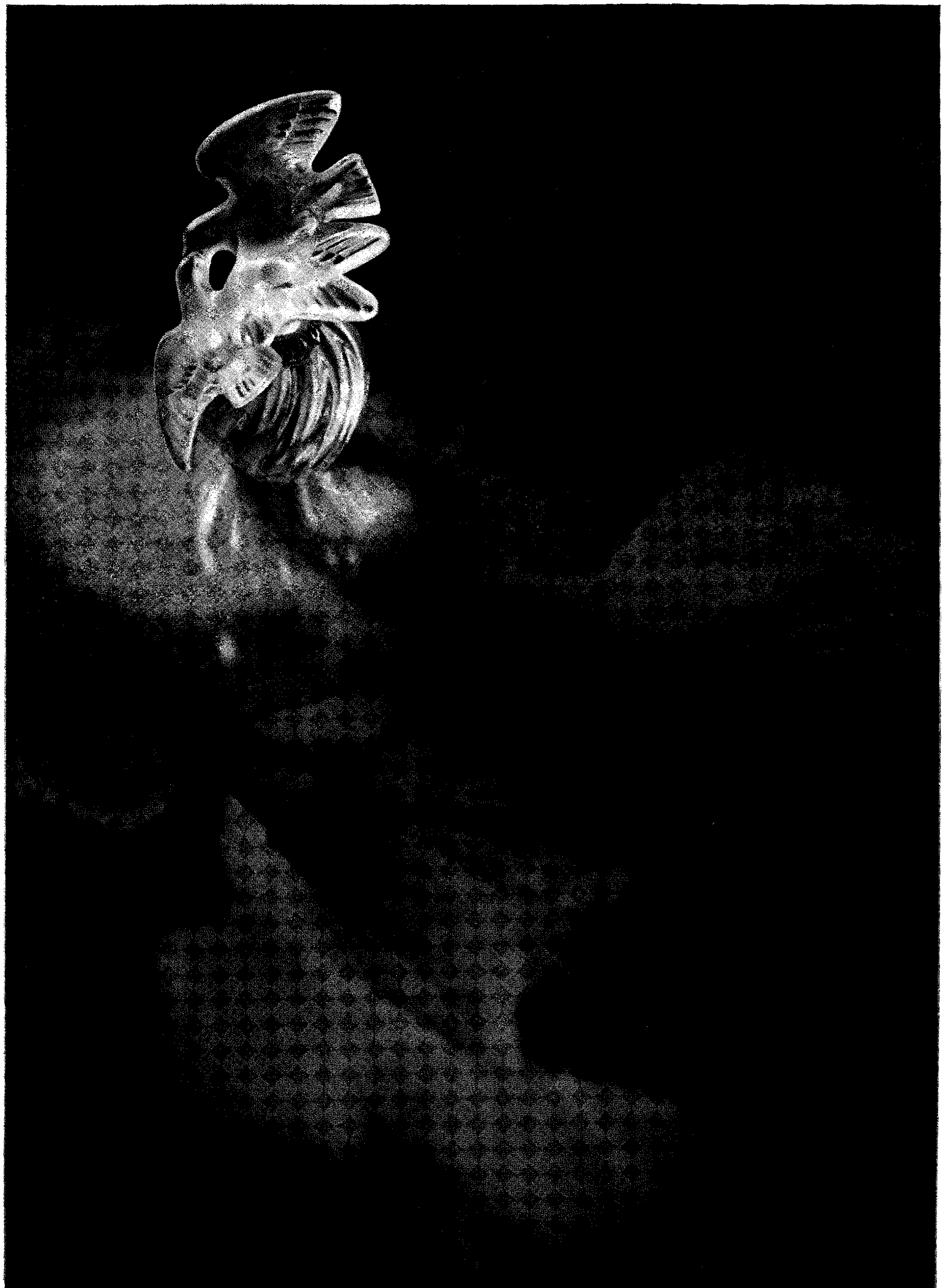
LETTER FROM LONDON

DECEMBER 4

EXACTLY a year after the devaluation of the pound, with the glittering West End streets once more milling with prosperous-looking crowds who apparently have nothing more serious on their minds than making it the happiest Christmas on record for the shopkeepers, it seemed last week to many depressed British that they have hardly budged from the same old worrying spot. This November's installment of deflation, announced in haste by the Government, lowered spirits universally but has not lessened the merry jingle of the national spending bust by one decibel, it seems. It may have even increased it temporarily, to judge by the prudent rush to buy goods "still at the old prices," as the legends blossoming across shopwindows have pointed out. Yet the new squeeze on its pockets seems to have been a painful psychological shock to the public. The vast majority, to whom economics are incomprehensible jargon, had paid little attention to the distant turmoil of the foreign-exchange markets except to conclude (with no displeasure at all) that General de Gaulle was about to have to eat his own lofty words on the mystic inviolability of his currency. Though there was a spate of newspaper talk predicting a fresh round of economic restraints, readers apparently preferred to skip all the dreary small print and concentrate on (and recall later with even more bewilderment) various recent encouraging ministerial comments on British progress toward solvency. Then they discovered that their own lives and money seemed to be again involved in what they had assumed was a private power struggle between the sick franc and the too buxomly blooming German mark. When the Chancellor of the Exchequer, Roy Jenkins, hurried back from Bonn to announce his latest package of measures aimed at keeping the nation from spending so much, especially on other nations' goods (which devaluation inexplicably failed to achieve), he was careful to insist that the new curbs had been agreed upon before he left home and did not spring from the international money crisis. To many critical citizens, however, it appeared that the Government, through fear that a French devaluation would send sterling disastrously spinning again, had been pushed into its abrupt, perhaps tardy, announcement of further deflationary increases in duties and indirect taxes on goods, tighter bank lending, and the new deterrent to importers, who for the next year will have to plank down a fifty-per-cent deposit on the value of many of their foreign orders (to be recovered six months later) with Her Majesty's Customs and Excise. This last device was immediately attacked with fury by the Opposition in Parliament as being another dirty trick sprung without warning by Mr. Wilson's Government on Britain's partners in the European Free Trade Association, who so bitterly resented the temporary import surcharges that Labour introduced soon after its return to power. The E.F.T.A. countries themselves reportedly made few objections this time, thus rather taking the wind out of the Conservative charges of double-dealing.



This is the sixth announcement of bad economic news for the British in the twelvemonth, including Mr. Jenkins' clobbering budget in March, which was such a merciless fiscal onslaught that nobody expected a further prodding this winter. Only three weeks before the new turn of the Treasury screw, the Chancellor imposed some more of the favorite but seemingly inadequate old restrictions on installment buying to try and check the country's obstinately free spending. The paradoxical situation here is that in spite of Britain's shaky economic health and the long list of crisis measures taken to improve it, very many people are making more money than they have ever made before in their lives—and making it fly, too, with right good will, on all the things that some of them have never before been able to afford. Things seem suddenly firmer and more reliable than cash amid today's violent spasms of bad monetary news. When the latest bunch of restraints begin to raise prices—which they will not do at once, owing to the Government's certainly poor timing of springing them when shops are seasonably crammed with enough stocks to last into the new year—people will doubtless start to dig down into their savings to find the difference. It is assumed that many must be doing so already, to finance this merry grasshopper Christmas. The Conservatives say that when they get back they will



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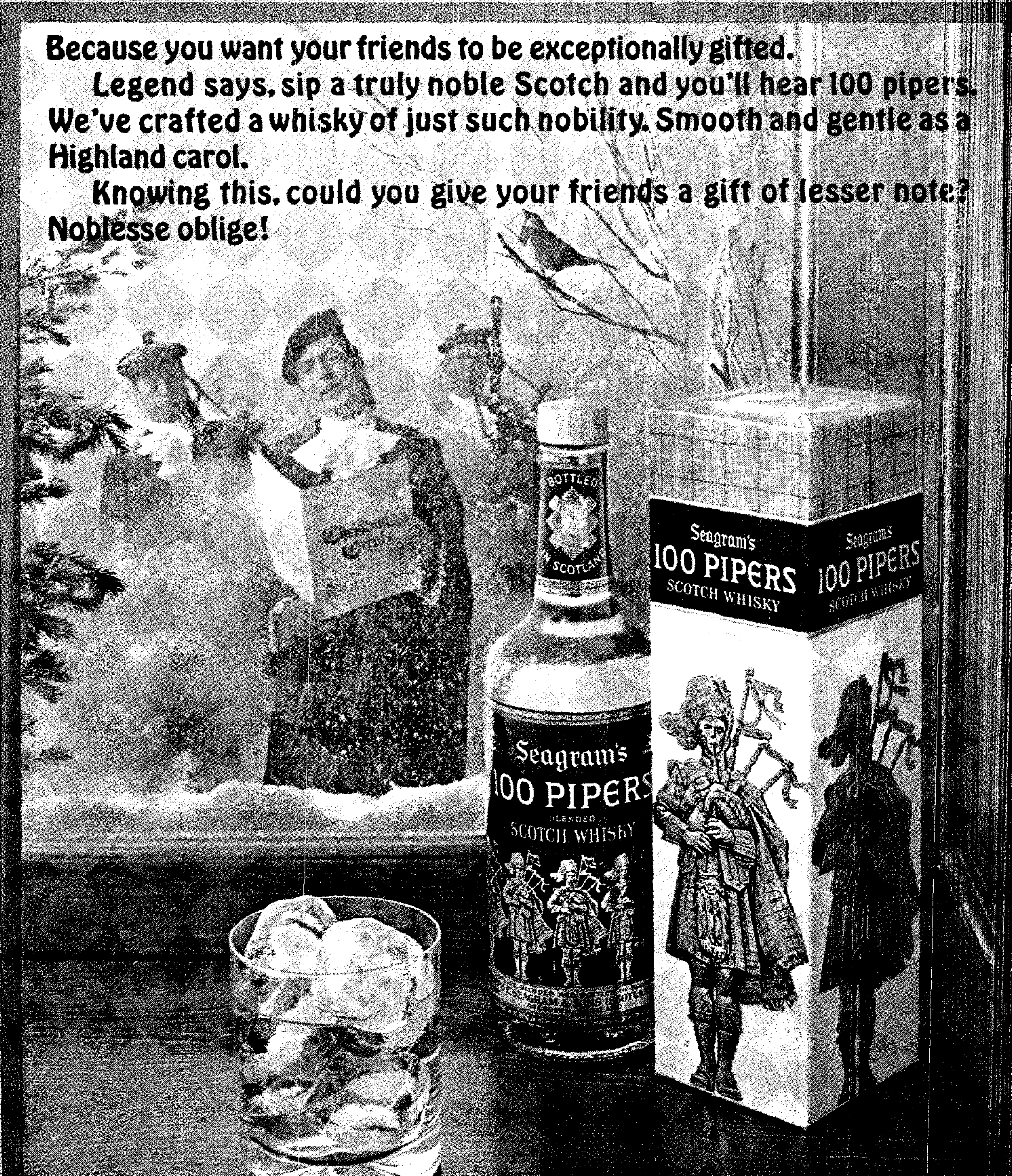
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immediately bring in a scheme, which they have outlined, to make the antlike virtues of thrift attractive to the British people once more. They had better hurry. Actually, prices of the basic things of life have up till now been kept pretty steady, but the Government's incomes policy began to crumble dangerously in the summer, when the railway unions successfully threatened a disastrous national strike. Last week's boost to the cost of living will certainly add force to the demands that other unions are about to make.

As a result of the not bright news, Chancellor Jenkins has come in for some sharply critical editorials in the press—a change from its former attitude toward him. The surge of hope and confidence that greeted his appointment last November as the man who seemed the best equipped to bring off the long-heralded "economic miracle" for Britain (this phrase of Mr. Wilson's, incidentally, seems to have gone into the language as possibly the most disastrous piece of premature Prime Ministerial optimism since Harold Macmillan's bland congratulation, "You never had it so good," to an almost bust country that believed him, and has been acting that way ever since) has now calmed down into the normal distrust extended to all Chancellors. Sir Leslie O'Brien, the governor of the Bank of England, came out strong in public support and approval of Mr. Jenkins' measures, which may have soothed recent Labour irritability over some sad remarks about the City of London's deteriorating good will toward the Labour Government that Sir Leslie uttered the other day to a more or less informal audience of young people—with a child among them taking notes, apparently. Ex-Chancellor James Callaghan, as his sobering contribution to the flood of economic comment and speculation, has just said that Chancellor Jenkins' estimate of "two years' hard slogging" before the country really draws out of the red might, in his opinion, have three more years tacked onto it.

It had been expected that some of Mr. Wilson's left-wing backbenchers, restive at having to explain still further gloomy measures to their disappointed constituents, and alarmed by the threat of rising unemployment this winter, would voice their views strongly when Parliament debated the changed situation on Monday of last week, after General de Gaulle's elderly shoulders had, at least temporarily, held the skies and the franc suspended. This did not happen. Mr. Edward

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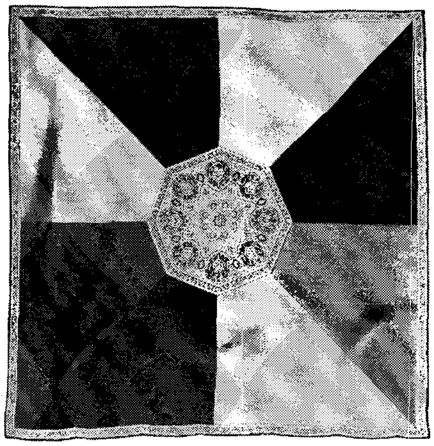

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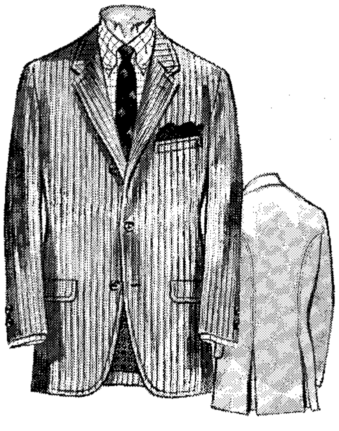

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Heath's tirade against the Government on a remorselessly maintained note of rasping anger was, of course, enthusiastically applauded by the Conservatives. "Out! Out!" they howled at the hooting Government benches, which (whatever some of their occupants may have intended when Mr. Heath began speaking) rallied unanimously in the voting behind the Prime Minister. It was an unedifying Parliamentary performance, which seems likely to be repeated at every crisis of confidence. There has also been some rethinking of the at first satisfactory conclusions that many British immediately drew from the international currency drama—that, with Bonn now calling the tune in Europe, Britain's prospects of being admitted to the Common Market were likely to be much improved. But such simplified optimism was damped by the sharp dialogue that took place between Bonn and London over the undiplomatic leak to the press of Mr. Wilson's private advice (or threat, as the West German papers preferred to call it) to the German Ambassador that a withdrawal of British troops from the Rhine might be part of the cutbacks necessary should the mark not be revalued. The outlook across the Channel—in which direction the British are looking with exceptional interest, to see how the all-too-familiar remedies for their disease, which have not yet cured it, will work in France—appears to be no clearer, unfortunately.

THE winter theatrical season has celebrated the first joyous rush of liberty from the stage censorship so long wielded by the Lord Chamberlain's office with a few productions featuring language or situations or areas of the human frame that are novel to London playgoers' ears and popping eyes. One of the sellout hits, however, is an innocently old-fashioned affair, "Forty Years On," which looks as though it will be many months on at the Apollo. It has, for some people, echoes of Noël Coward's "Cavalcade," and also, in its pastiche way, of "Oh What a Lovely War," though without the savage irony of the latter. The author, Alan Bennett, was one of the original "Beyond the Fringe" boys, and he appears in it, too. The show is supposed to be an end-of-term performance at a minor public school, symbolically called Albion House, and the last appearance of the old headmaster—played by Sir John Gielgud—before he hands over to a more liberal-minded, if less lovable, junior member of his staff. It consists of a number of

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sketches, spiritedly acted by boys and staff, taken from strictly upper-class British history and the literary life. There are skits about Lady Ottoline Morrell (a bedizened little boy wearing a huge shepherdess hat and mounted on the drapery-hidden shoulders of a taller lad portrays this famous hostess, tottering along in tender converse with a scared-looking Bertrand Russell), T. E. Lawrence (the head gives a lantern-slide talk about him, but the joke is that all the time the old boy has mixed him up with D. H.), Neville Chamberlain being tried and sentenced at the bar of history, and an Edwardian monster of a nanny taking a surreptitious swig out of a bottle ("It's Nanny's medicine, dear") while settling her little charge for a night of happy nightmares. A wonderfully boring trio of a Second World War civil servant, his wife, and his wife's old nanny (it shows what a mesmerizing hold these masterful female figures have on the minds of educated Englishmen), sitting at the side of the stage with their gas masks and with their wireless tuned to the B.B.C. news, act as a kind of chorus to events. Well, the critics, almost to a man, went overboard for it all. Sir John Gielgud's noble presence and beautiful voice, in this odd setting for both, suggest a much mellowed Prospero presiding over an isle indeed full of noises. The singing of the boys, including lusty renderings of the title, "Forty Years On," which actually is the famous school song of Harrow, is splendid. The wild success of the show may indicate what many British like to see and hear at the unsatisfactory moment: a gently amused look back at the past, and the final impression left by the dear old rumpled head of the establishment in his farewell speech—that, make no mistake, the heart of Albion House will always be in the right place.

—MOLLIE PANTER-DOWNES

●

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●

HOW'S THAT AGAIN? DEPARTMENT

[*From a review in the Syracuse Herald Journal*]

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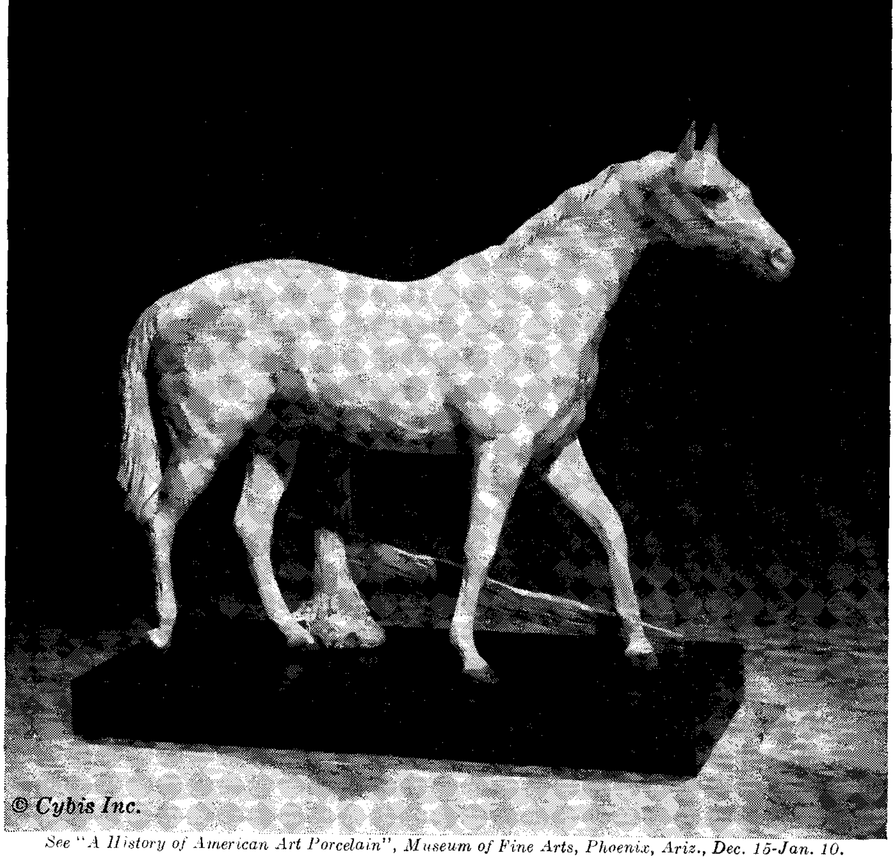
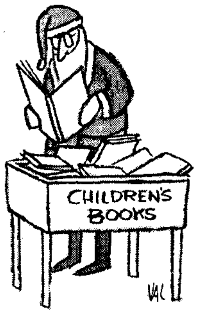


See "A History of American Art Porcelain", Museum of Fine Arts, Phoenix, Ariz., Dec. 15-Jan. 10.

BOOKS

Children's Books for Christmas



IN recent years, children's books have come in for a good deal of criticism from people who think they are too tame. "There are the same old pleasant words and simpleminded plots," wrote one critic (Robert Coles, a psychiatrist) in the *Times Book Review* last May. "God forbid that a child should read a swear word, or be left face to face with some of the wrong things that people do, or that his country, like any country, has done and continues to do." Since these words appeared (perhaps even because of them), scores of children's books have been published to which they scarcely apply, as quotations from three new books illustrate. Two of the books are by authors who have been honored with important prizes—the Newbery Prize and the Herald Tribune Spring Books Award—and the third was just named one of the fifteen best books of the season by the *Times*.

> "Came to get some grass?" Chuck says to me, practically cracking my bones. "Or are you here to pick up some better grade of goodies?"
> "Let go," I say.
> "What's the matter, boy?"
> "Let go of my hand, you queer," I say.
> "You guys know where I can get some grass?"

> She used to put me through the story at least twice a year—how when she was pregnant with me her doctor called and told her my father had some kind of disease, and she shouldn't let him touch her until he got rid of it. It turned out that he had a girl friend on the side.

> My father's been married four times, you know. What a mess he's in, with all the money he has to make for all the families, and the way he has to split his time so he can spread his attention around to all his different whelps. That's because he didn't sleep with anybody until he was like twenty-two, and then as soon as he did, he married her. And he got into the habit. With him, it was never a question of adultery. Once he made it with somebody, he had to get rid of the one before. And that was because he'd held in his sexual appetite so long its importance got all out of proportion.

These are hardly "the same old pleasant words," but the books from which they come are even more insipid than their conventional counterparts, and I can see no reason any child (or "young adult," as publishers have taken to calling twelve-year-olds) should want to read them. Parents and aunts bent on giving gritty books to children for Christmas will be hard put to it to find many that will not bore and irritate the children who receive them. In the "problem" fiction for children I read this year, I came upon few books that didn't chiefly pose the problem of how to dispose of them. A noteworthy exception is "Pirate's Island" (Lippincott), by John Rowe Townsend, an English writer who has already demonstrated his abilities in "Gumble's Yard" and "Goodbye to the Jungle," both of which were published here in 1967, and both of which dealt with the misadventures of some exceptionally put-upon and spirited slum children in postwar England. Mr. Townsend's new book takes place in the same slum area and has some of the same characters, though this time the hero is not an impoverished child but an overindulged, overweight, rather dreadful boy named Gordon Dobbs. The reader will not admire him; quite possibly he will identify with him. Gordon is the only child of a small, withdrawing pork butcher and a large, cosseting mother, who is constantly urging him to "keep his strength up" by overeating—"the sort of boy who was bound to be tormented at a tough council school." He has no friends, and when a waif named Sheila appears on his doorstep and invites him to go looking for pirates' treasure with her on an island in the local river, he decides he may as well go along on the improbable search, not because he especially wants to but because he has nothing else to do. Sheila is an orphan who lives in a slum with a dejected aunt and uncle who have too many babies and a hoodlum son, and she escapes from the grimness of her life by living in a world of make-believe she has created out of scraps of adventure stories she has read. The treasure hunt, naturally, unearths no treasure, but it leads the children to the discovery of a plot to rob an old man of his life savings and provides Gordon with a chance to "find out if he had it in him to break out from the cocoon of over-protection, the boredom of a life bounded by comics and the radio and nibbles from the shop," by doing something hard and brave. When the opportunity comes, Gordon is no longer the greedy clod he used to be. His heart has been touched by the girl's grit and uncomplaining acceptance of her lot, and his understanding of the complexities of slum life has developed beyond what many adults have grasped about them. Sheila is beaten up by her hood-

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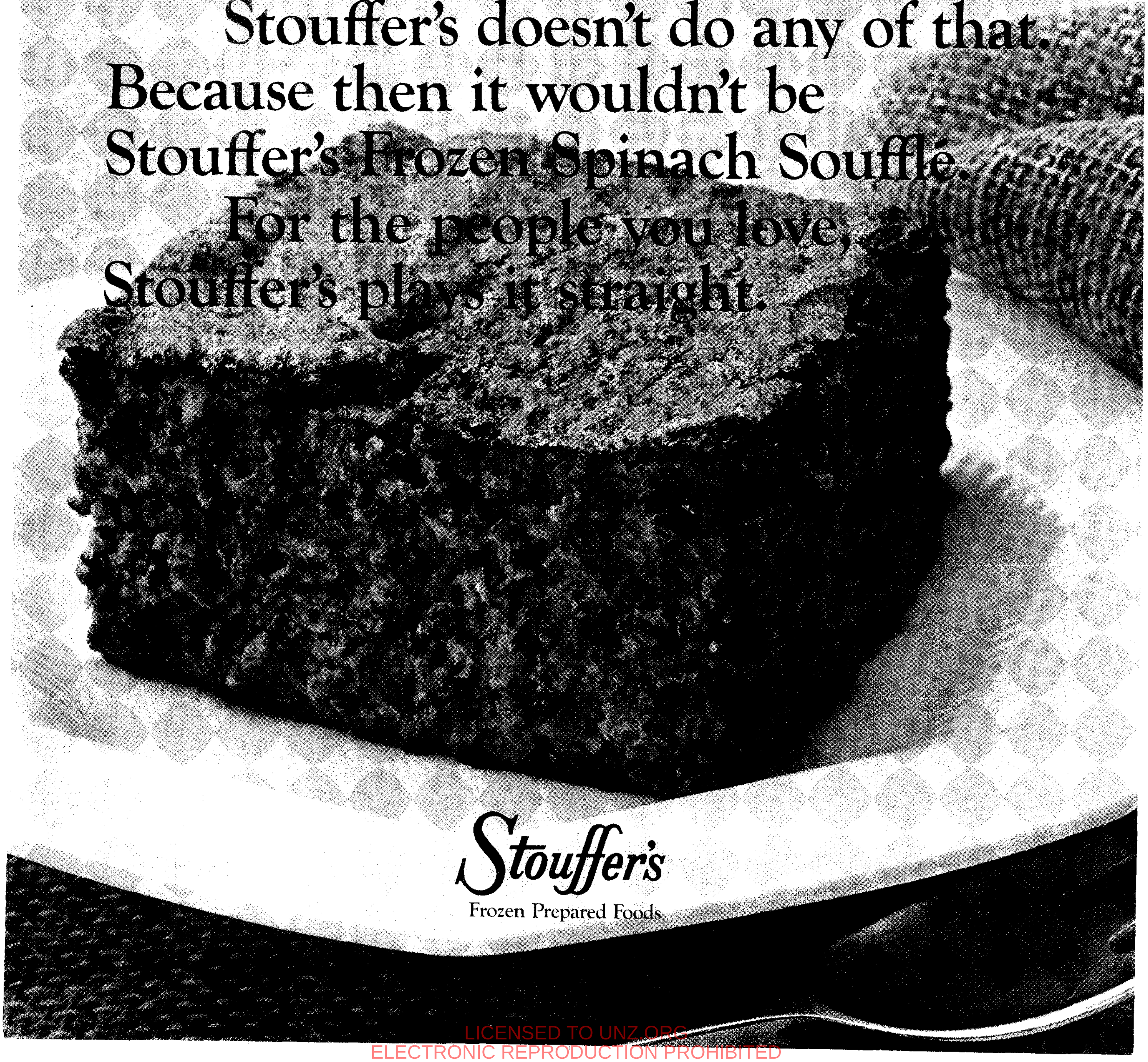

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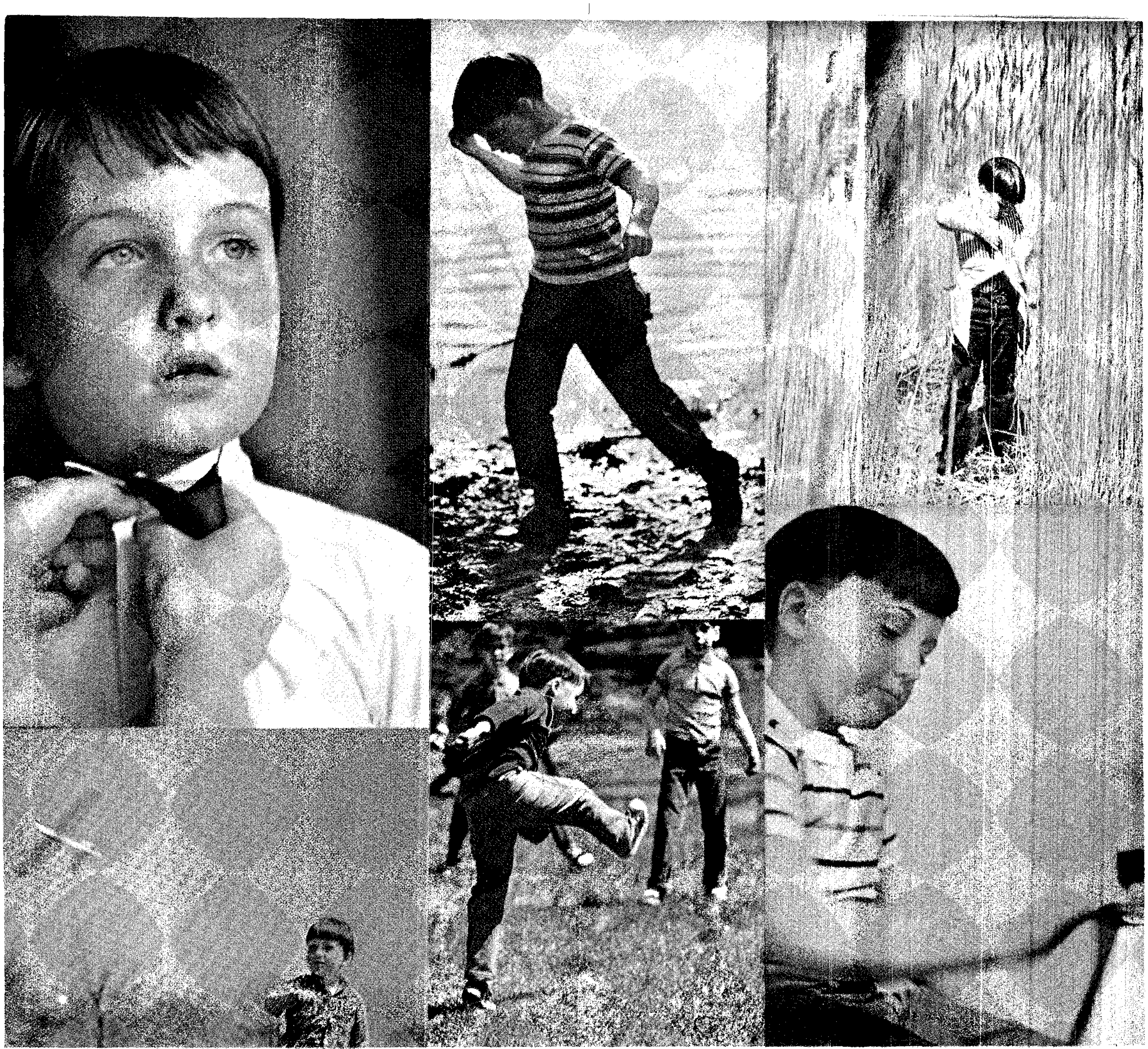

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lum cousin, and she is taken into the rectory by the district minister. Gordon says that the cousin ought to be put in prison. "None of these things are ever simple," the minister answers. "We're doing our best, along with the welfare people, to sort this one out. You see, Gordon, an awful lot of people in the district would be in trouble if a strict view was taken of everything that goes on. You ask Sergeant Hawkins. So what the various authorities have to do is turn a blind eye most of the time, just so as to keep life moving along. Specially in these family affairs. If you send a man to prison, you've lost." The problem Gordon has to heroically solve is to get the old man his money back without bringing in the police and sending the culprits to jail. He comes through. The old man puts his money back in the bank. The culprits leave town. Sheila is adopted by the minister and his wife. Gordon makes some friends. This is all that has happened when the book ends. Mr. Townsend makes it seem like a great deal.

IN a recent review of "Mind Drugs," a collection of essays gathered by Margaret O. Hyde (McGraw-Hill), Dr. Louis Lasagna suggests that "perhaps if reality could be made less ugly, young people would not seek escape in perceptual distortions, hallucinations, and stupor." I don't know how Dr. Lasagna proposes to make reality less ugly, and I am not even sure that reality is uglier today than it ever was. There is more knowledge and concern about social problems today, but this does not mean that more or worse social problems exist today. Reality would have been harder to face in the days when they hanged a child for stealing a loaf of bread, one would think. (Today they ought to hang the people who make our bread.) Drugs, however, *are* being used by children, for whatever reason, and by increasing numbers of writers of children's books, for purposes of plot. But the children's novels in which teen-agers take marijuana and LSD are as dull as the novels about teen-agers who train dogs or study hotel management or get pregnant, and a child who wants to learn about drugs would do better with a factual book like "Mind Drugs." Most of it was written by doctors and other experts, and the rest by the editor, who is a science teacher and science writer. Some contributions deal with specific drugs and others take up the whole so-called "drug scene." I thought Dr. Duke D. Fisher, who is just thirty and one of the world's lead-

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ing authorities on LSD, especially interesting: "LSD is erroneously called a mind-expanding drug, when really it is quite the opposite. The attention one can pay to the ordinary details of life is diminished after using LSD. . . . The perceptual distortions caused by LSD result in one's having the feeling that he is doing better, while doing much worse. . . . Many young people, after using LSD, have a dramatic change in their value systems. . . . LSD users have difficulty tolerating feelings that occur in close relationships. . . . We found many LSD users describing their 'love for humanity,' 'love for the world,' and 'love for nature;' however, they had a great deal of difficulty loving one other person." Dr. Fisher shows the differences between good and bad trips, and cites a teenage boy who "locked himself in his room because he thought he was an orange and that if someone touched him, he would turn into orange juice." At the end, Dr. Fisher asks the reader, "Should you turn on with LSD? Why not turn on, tune in, and drop out? There are no easy answers to these questions." (After what Dr. Fisher has revealed, the answer I can easily give to that first question is "No.") He goes on to say that "it is obvious that the establishment does not have all the answers. One has only to look at the alcoholism, the suicide rate, and the social problems of today to realize that the establishment needs help from the minds of young people who are willing to consider new ideas." One idea young people could consider to help out their elders and inferiors would be to stop fooling around with drugs. Alcoholism and suicide might decrease dramatically if parents could count on their children to take all their trips on chartered buses.

For children who are too young to read about drugs, several thoughtful publishers have brought out picture books in which they may learn about sex. These books are a good deal more forthright than any published before, and they will not suit every family's notions of how the information ought to be presented. "How Life Begins: The Exciting Story of Human and Animal Birth," by Jules Power (Simon & Schuster), offers a remarkable description of intercourse:

> When two people are married, they express their love in many ways. They work for each other's happiness, they try to build a home together, and they share each other's joys and problems. Often they also show their love by holding each other very closely, and by kissing and caressing. Sometimes, when they're alone, they may lie down together, and, at the moment

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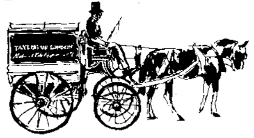

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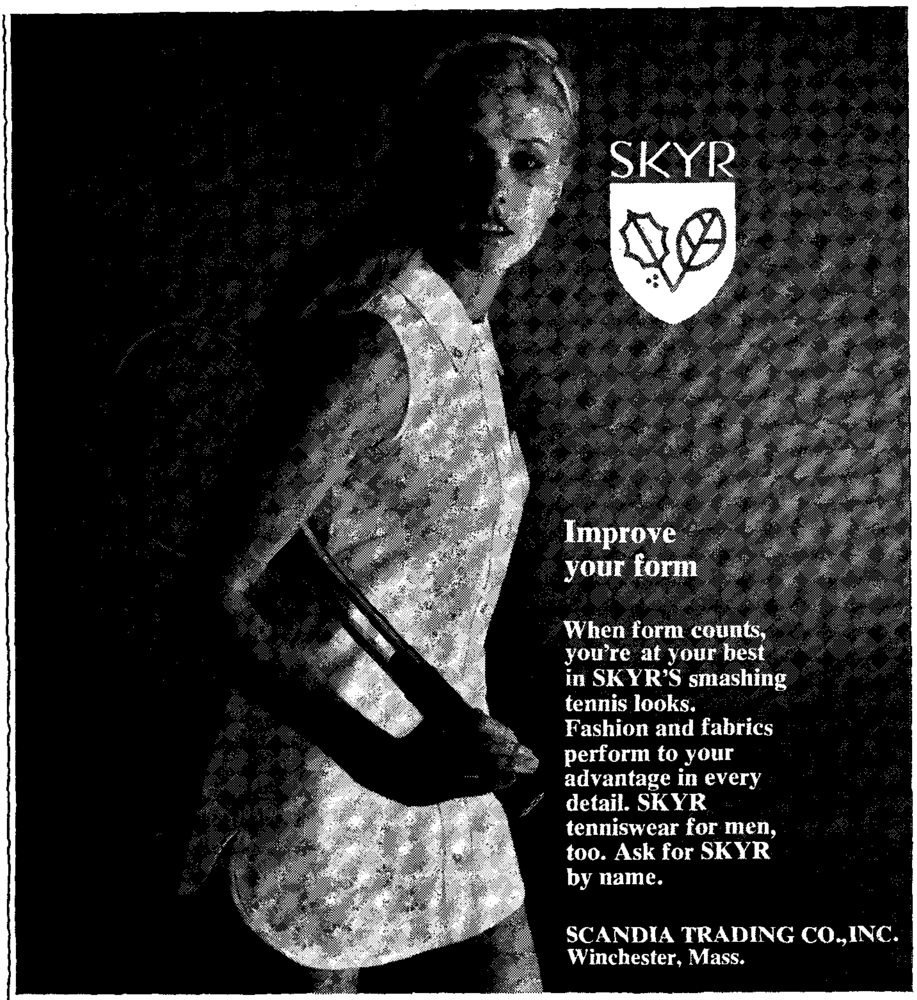
they feel their love for one another most deeply, the husband may place . . .

It is necessary to break off at this point because this, after all, is a family magazine and not a children's book. "How Babies Are Made," by Andrew C. Andry and Steven Schepp (Time-Life Books), shows a man and woman copulating under a pretty sprigged quilt ("Unlike plants and animals, when human mothers and fathers create a new baby they are sharing a very personal and special relationship"). "Before You Were a Baby," by Paul Showers and Kay Sperry Showers, a Let's-Read-and-Find-Out Science Book (Crowell), confines itself to the pertinent physical facts of reproduction and offers no information about relationships. In places it is reminiscent of love scenes in modern novels.

AS a rule, small children do not find beautiful picture books as desirable as ugly ones. Anyone who has observed small children will agree that Beatrix Potter, Maurice Sendak, and Edward Ardizzone just don't fetch children the way Archie Comics do. Nevertheless, beautiful picture books continue to appear, on the assumption, no doubt, that parents will not forgo the pleasure of looking at them just because their children are dolts. Probably the most beautiful picture book of the year, and the least likely to please a child, is "We Went Looking," by Aileen Fisher, with pictures by Marie Angel (Crowell). The text is a dull poem that cites the names of animals, birds, and insects, and provides Miss Angel with the opportunity to draw them. She does so with a delicacy and fidelity rarely seen today, and each page—a woodland creature, an appropriate leaf or tree or flower, and handsome italic type—is a picture one could frame. "A Kiss for Little Bear," by Else Holmelund Minarik, with pictures by Maurice Sendak (Harper & Row), is another perfectly beautiful dull book. The Little Bear books used to be diverting, you may recall, but as Mr. Sendak's art grows richer and more remarkable, Mrs. Minarik's text grows limper and more vacant. There used to be parity between author and illustrator, but the author now seems content to provide Mr. Sendak with mere excuses for his pictures. The story tells how Little Bear's grandmother's kiss is transmitted from one beautifully drawn animal to another and finally reaches Little Bear. This is an I Can Read Book, but it would be better named an I Don't Like to Read Very Much Book, since there are only two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hundred and ninety-nine words in it, counting "and"s and "a"s. An unexciting animal book that children probably *will* like is "Little Fur Family," by Margaret Wise Brown (Harper & Row). Its cover is made of real fur. The book is a reissue (a re-pelting?) of a work first published in 1946.

In several picture books, the texts as well as the pictures seem intended for the delectation of parents rather than children. "Red Riding" (Pantheon), by Jean Merrill (with pictures by Ronni Solbert that look as if they might have been done by a talented child), offers a delightful version of Little Red Ridinghood by two children who are diverting themselves on a rainy day by telling each other stories:

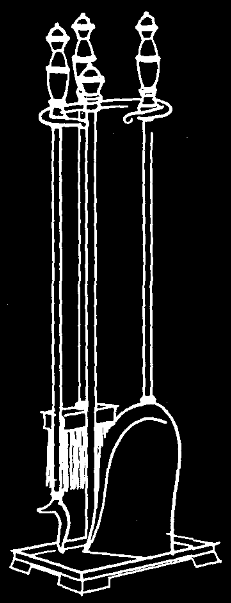
> "Once upon a time," Katy said, "there was Red Riding. Red Riding had a red hood. She had a whole closet of other clothes, too. But she liked her red hood best."
>
> "Yes," Tony said. "She had a sweat shirt. And cowboy boots. And a little hat with buttons pinned all over."
>
> "So Red Riding put on her red hood and her mother said go pick some nice flowers to take to your poor sick grandmother."
>
> "What is the matter with the grandmother?" Tony asked.
>
> "Measles," Katy said.

The five-year-old I read the book to said she was not amused. "Too much talking," she said.

"Rhyming Will," by James Reeves, with illustrations by Edward Ardizzone (McGraw-Hill), is an adult entertainment that just might amuse children, too. Will lives in what looks like eighteenth-century England. "He was a good boy and cheerful, but there was one thing wrong with him. He couldn't speak." Not a word does he say until he is almost seven. Then one day he opens his mouth and says:

> "I see a man down yonder street
> With pies and gingerbread to eat."

From that day on, Will speaks only in rhymed couplets or quatrains, and becomes the laughingstock of the village, whose inhabitants seem to prefer their inglorious Miltons mute, so he runs away to London and gets a job with a cobbler. Will begs his employer, "Pray do not laugh if every time/ I talk to you, I speak in rhyme," and the cobbler urbanely informs him that "they had all sorts of strange folk in London and Will was no stranger than the others." Will becomes famous, and when the poet who is supposed to write the ode for a banquet in honor of a visiting nabob from India falls ill, Will is summoned to take the poet's place, but when he stands up to deliver his



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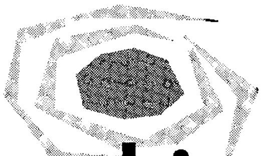

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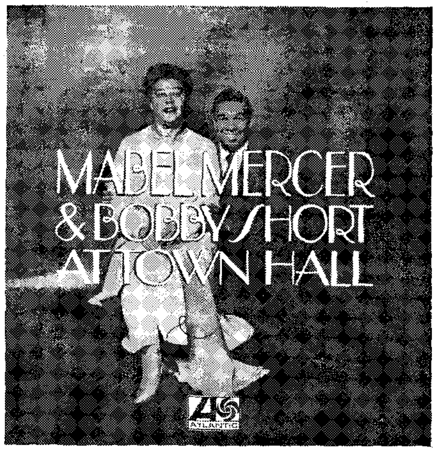

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ode, instead of verse out comes a *prose* speech. The company is aghast and Will is in disgrace. But after the banquet the nabob comes to Will's house and presents him with five gold coins. "You are a genius, my boy," he says. "Everywhere I go, I have to listen to stuffy odes in rhyme, as long as ten elephant trunks. *I hate odes!* If I had to listen to one more poem after that banquet I would have been ill. That was the best speech of welcome I have ever heard!" The illustrations are in Ardizzone's illustrious old-fashioned etched style, and he employs his device of inserting comic-strip balloons for comic effect, and they are very effective.

"Harquin: The Fox Who Went Down to the Valley," written and illustrated by John Burningham (Bobbs-Merrill), is another sophisticated picture story that may have something in it for children—a fox hunt from the point of view of the fox. A family of foxes live on a hill, their presence unknown to the local squire. Harquin, one of the young foxes, runs around the village in spite of his father's warnings. Finally, the gamekeeper informs the squire, who says "Good! We'll take the hunt there on Saturday." Harquin, to make up for the trouble he has caused, bravely leads the hunt away from his family's lair and right into a bog. The foxes live happily ever after, and the mud-spattered squire dismisses the gamekeeper. Mr. Burningham's pictures are done in a heavy, strong, painterly style, and some of them are satiric. In his picture of the squire dressed in his country squires' clothes and surrounded by his large, stupid dogs, the artist has wonderfully captured the look of peevish resignation that settles on the faces of people who have nothing to do all day.

A peevish look is probably creeping over the faces of readers who have been scanning these pages for an unexceptionable Christmas picture book for their children. Here it is. A book called, by odd coincidence, "What Do People Do All Day?," written and illustrated by Richard Scarry (Random House), is positively guaranteed to please any small child. As aficionados of Mr. Scarry's work know, his large, thick, colorful volumes, crammed with pictures and text, are loved by young children as no other modern picture books are loved, and not the least of their merits, to many parents' minds, is that they cost no more ($3.95) than the small, skimpy volumes that take scarcely more than a minute to read and look at. Chil-

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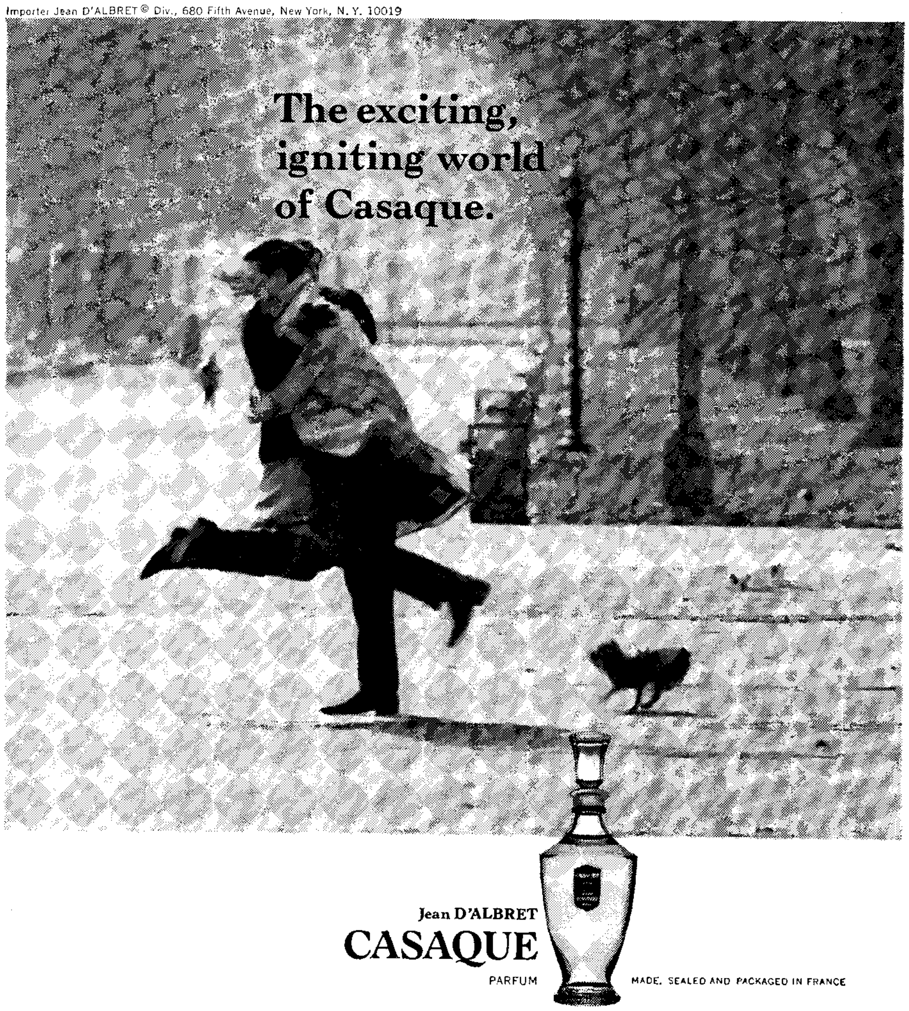
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dren can spend hours perusing a Scarry book. Mr. Scarry has had the wit to see that the reason children dote on comics is that they like the *action*, and his books are filled with intensely active pictures, sometimes as many as eight on a page, drawn in a detailed and realistic and humorous way. But, unlike comics, the Scarry books are educational and their humor is real. "What Do People Do All Day?" deals with trades and professions—"Building a New House," "Where Bread Comes From," "The Story of Seeds and How They Grow," "Mother's Work Is Never Done." A large cast of animal characters—Zip the Postman, Farmer Alfalfa, Blacksmith Fox, Daddy Pig, Lowly Worm, Sawdust the Carpenter, Able Baker Charlie—bring their talents and foibles to the jobs at hand, which are illustrated in a thorough manner, so that one really learns what happens to a log from the time it is brought to a sawmill to the time it becomes a roll of paper, or to a letter from the time it is mailed to the time it is received. The text is agreeably jolly, never arch. Scarry strikes the right note and sounds exactly the way people ought to sound when they address small children.

"THE SEA ROCK," by Anita MacRae Feagles (Bobbs-Merrill), is an interesting short book for readers in the early grades, but it is a book that parents who hire college or high-school girls as summer babysitters may think it prudent to keep out of the hands of their children. A little girl named Emily goes to the seashore with her parents every summer, and this summer they take along a babysitter to look after Emily's two-year-old brother. Emily doesn't like the idea, and when the sitter, a pretty teen-ager named Diana, arrives, she doesn't like *her*. She rebuffs all Diana's overtures and does a lot of sulking. "If you stop to think about it," Emily's father says, "you'll realize it doesn't have anything to do with Diana herself, but because you didn't like the idea of a babysitter before you ever met her. So I want you to decide right now to change your attitude and be a little more pleasant." But Emily is right; the babysitter is a liar, a thief, and a hypocrite, and she almost causes a tragedy when she leaves the baby unattended. Mrs. Feagles' idea is that a child's instinct can be trusted, and she develops the idea (such as it is) persuasively. But girls who read the book and anticipate a delicious summer spent in exposing the babysitter as a liar, a

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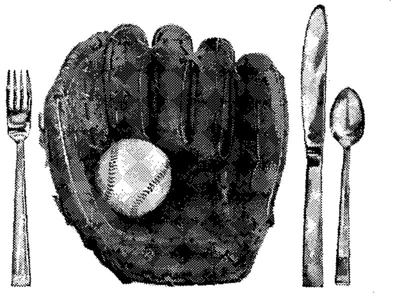

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thief, and an incompetent will be disappointed, since most babysitters are none of those things.

Richard Hughes does not share Mrs. Feagles' confidence in children. In "High Wind in Jamaica," he set out to destroy the Romantic image of children as innocent and good and showed them to be corrupt and wicked. In "Gertrude's Child" (Harlin Quist), he continues his exploration of infant depravity in a fantasy in which dolls and playthings and animals own children and treat them the way real-life children (presumably) treat their toys and pets. A doll named Gertrude runs away from the mean girl who owns her; arriving at the place where toys and pets own children, she buys herself a little girl and names her Annie. After a day spent in mistreating Annie, Gertrude goes happily to bed, then remembers that she left the child sitting in the bathtub. " 'Poor Annie,' she thought. 'How horrible having to pass the whole night in the tub!' But it was very, very dark, and Gertrude didn't want to get out of bed. 'Perhaps she *likes* sleeping in bathtubs better than beds,' Gertrude told herself. 'Yes, I'm sure Annie would *rather* stay all night in the tub.' " Decency finally goads her into rescuing the shivering child from the tub of icy water and taking her to bed. But one suspects that the author was less intent on showing the doll's capacity for kindness than on preparing for the ironic thrust with which the episode ends: " 'Darling doll!' said Annie. 'How kind you are to me!' " The story may be read as a parable about the perils of dependency: when a person or creature is at your mercy, you are not apt to be merciful. The doll and the child become equals ("You won't belong to me and I won't belong to you"), and their future together looks a lot better. Rick Schreiter's black-and-white illustrations match the text; they are dark and incisive, and they make everyone look a little nasty.

Irene Hunt, the author of "Trail of Apple Blossoms" (Follett), has the rare gift of writing about goodness and good people without being tiresome. Her book is an instance of the ability of art to make any subject—even Johnny Appleseed—seem new. The brief story pivots on two invented though plausible encounters between John Chapman, whom people called Johnny Appleseed (and whom Miss Hunt sees as a saint), and a pioneer family named Bryant. In both episodes Chapman gets the family out of serious trouble and gets extraordinary results out of perfectly *ordinary* acts—which I take to be Miss Hunt's

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point about saints. In the first encounter he saves the life of the Bryant baby daughter Rachel simply by feeding her homemade applesauce. The family is travelling to the Ohio Valley and Rachel is wasting away because she won't eat. Chapman sees that the heavy salt pork and corn bread, the family's only provisions for the journey, are all wrong for a baby, and by feeding her properly he brings the child back to health. Then he sends the family on its way with two tubs of apples and a bag of appleseeds and instructions on the cultivation of fruit trees. Five years later, the Bryant homestead, in the Ohio Valley, has a fine orchard. Chapman, in his wanderings about the countryside, has gained a reputation as a holy man among the Indians, who have observed his special relationship with wild animals—his companion is a wolf he has rescued from a trap—and have benefitted by his knowledge of the healing properties of herbs. When he comes upon the homestead, the Indians are about to attack, and the Bryants flee to join other homesteaders at a nearby fort. There are troops at Mount Vernon, but that is thirty miles way. Chapman volunteers to make the journey to the garrison, which he can do because the Indians are used to seeing him in the woods and have no suspicion of his mission. The troops arrive, and the Indians are repulsed. "That night Hoke [the Bryants' son] sat on the bank of a small woodland stream and talked for long hours with John Chapman. They talked of life and its meaning, of the earth and its beauty, of death and its mystery. The moon rose and silvered the bank where they sat, and the beauty of the night and the comfort of their understanding, the one for the other, were so great that they were impressed upon the boy's mind, never to be forgotten." In the last chapter, Rachel, now a young mother, is sitting in a kitchen "bright with spring sunlight and scrubbed Sunday-morning orderliness," writing a letter to her brother, who is now a minister. She has just learned of the death of Chapman, and she recalls the stories she has heard about him and her own memories of the man. "I remembered, too, the look on your sober, young face that night you came home after having talked for hours with your friend Johnny Appleseed. I think that you became a minister that night, dear Hoke." The book ends with a lyrical passage about the "trail of apple blossoms" that Chapman has planted through the Ohio Valley and in Illinois and Indiana. It is sentimental out of context, and some-

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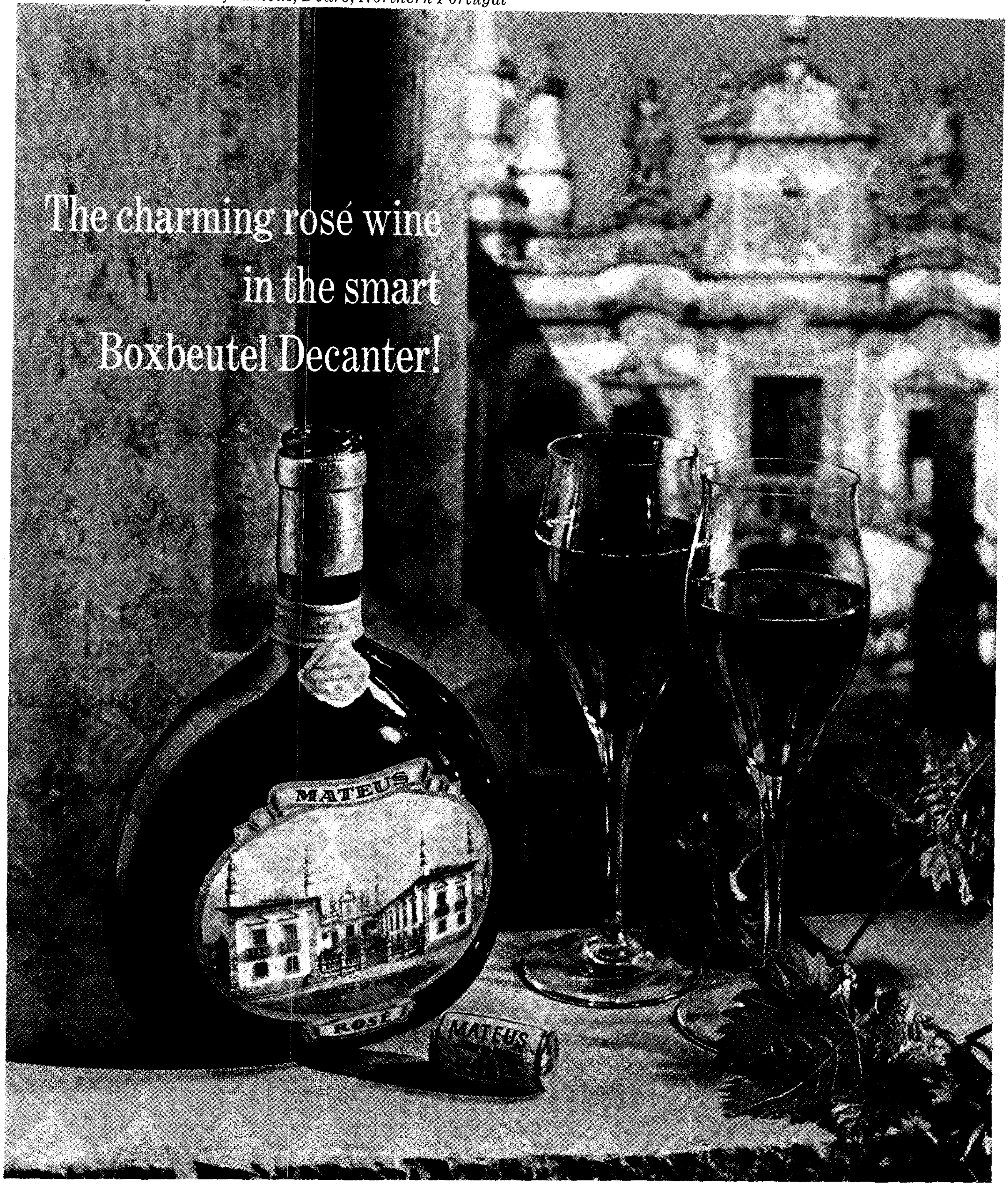
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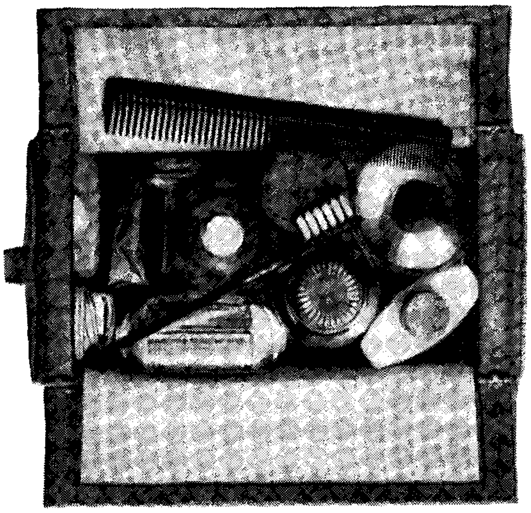
how very moving in the book. The pen-and-ink and wash drawings, by Don Bolognese, are done with fitting delicacy and solemnity, but I wish Mr. Bolognese hadn't made Chapman look quite so much like Robinson Crusoe.

"The Wild Beast," an affecting and effective nineteenth-century Russian story by Nikolai Leskov, now appears in a fine English translation by Guy Daniels (Funk & Wagnalls). The narrator recollects an incident that occurred when he was five years old and staying with his uncle, whose "chief traits of character were wrathfulness and implacability." The uncle lives in a gloomy place whose tower once housed his demented father. Now a sort of aeolian harp strung across an open window makes eerie sounds when the wind blows—sounds that frighten the villagers and deepen the "grim melancholy" that pervades the estate. The uncle hunts bears and keeps the captured cubs in a shed with little windows just below the eaves, and the cubs climb on each other's backs; "only in this way could they look out from their prison upon God's free world." The cubs' keeper, Hrapon, dotes on the bears and even sleeps among them. It is the custom of the place that one bear—the most gentle and intelligent one—is allowed to roam the grounds until it "plays a prank;" that is, attacks someone. Then it is put into a pit, and when it is let loose dogs tear it to pieces, or, if they don't kill it, it is shot. At the time of the story, the free bear is Sganarelle, a remarkably clever and good-natured creature, who stands on his hind legs, beats a drum, helps the peasants carry heavy loads, and is even willing to don a pointed hat with a feather. But Sganarelle finally succumbs to his wild nature and "plays a prank," and the unhappy Hrapon is obliged to take Sganarelle to the pit, where he sits "with his front paws crossed as if they were hands, moaning and almost crying." The baiting is set as an after-dinner entertainment. When Sganarelle emerges from the pit, hugging Hrapon, who went down to fetch him out,

> he looked very much like King Lear. There was a sullen glare in his bloodshot eyes, which glittered with wrath and indignation. Like Lear, he was dishevelled: his fur was singed in spots, and straws clung to it here and there. Moreover, through an astonishing happenstance, the bear, like the unfortunate king, had retained a kind of crown. Perhaps out of love for Hrapon, or it may be through sheer accident, he had kept clutched under his armpit the hat Hrapon had given him—the one he had been carrying when Hrapon had reluctantly urged him into



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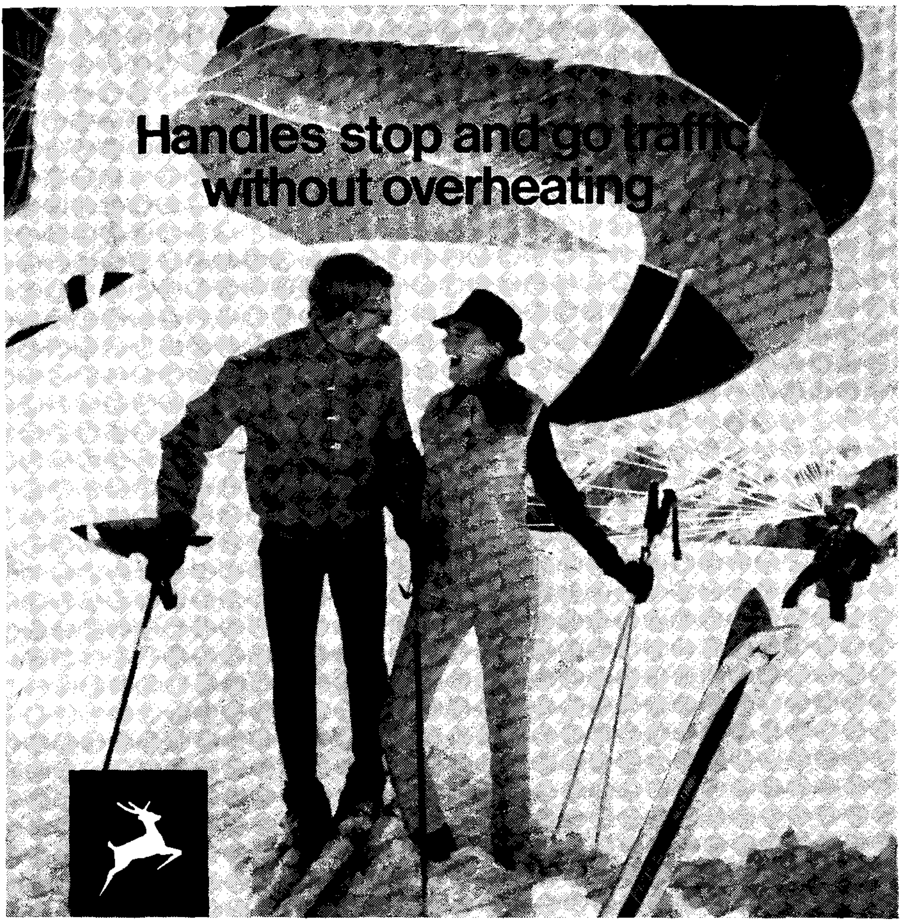
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the pit. The bear had kept this gift from his friend. And now, having found momentary solace in the embrace of that same friend, as soon as he reached ground level he took the crumpled hat from under his armpit and put it on his head. This trick brought laughs from many of the spectators. But for others it was painful to see; and some of them even turned their eyes away, hastily, from the beast whose violent death would now take place.

But the death does not take place. Sganarelle miraculously (though not implausibly) gets away from the dogs and the marksmen. Then the uncle undergoes one of those astonishing changes of character that occur in Russian literature as casually as people change clothes in other literatures. He gives Hrapon his freedom and a hundred rubles, and Hrapon says he doesn't want his freedom, he just wants to serve the uncle. The uncle and his faithful servant live out their lives doing good deeds. The black-and-white line drawings by Harold Berson that illustrate the story are not worthy of it.

Like "Alice in Wonderland," "Omar," by Wilfrid Blunt (Doubleday), is a comic fantasy that both children and grownups will relish, though not, perhaps, in exactly the same way. Some of Mr. Blunt's wit is bound to be lost on children (and on adults who weren't English majors), but there is so much of it that children (and drum majors) will scarcely feel the loss. "Omar" is subtitled "A Fantasy for Animal Lovers," which it is. It is also an amiable spoof of books like "Born Free" and "Ring of Bright Water," whose authors write about the wild animals they have adopted with a zeal and pure-heartedness equalled only by writers of books on organic gardening and reducing diets. Mr. Blunt's animal-lover *and narrator* is a middle-aged spinster, Rose Bavistock, who lives with a father who "was as bored with me as I was with him" and "once said I looked like a horse (whereas I had always thought that I looked like Edith Sitwell)." She considers animals vastly superior to men, so she is hardly displeased by her father's comparison, and her sympathy extends even to gnats and bedbugs, for "on what authority do we assume that God is a kind of American who cares for nothing that is not outsize?" Miss Bavistock approvingly discusses the Jains of India, who are said to have hospitals for the care of bugs and fleas and not to brush their teeth "for fear of injuring living things." Anticipating the reader's objections, she writes:

> I hope I do not give the impression of being a crank; I am simply one who, by

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loving "all creatures great and small," adopts a consistent and logical attitude towards the animal kingdom. How can a man spare a lion yet kill an ant? How can he reject veal yet read books bound in calf? How can he oppose bull-fighting while continuing to wear leather shoes? Why, I even gave up wearing my plaited jute sandals when I discovered that animal glue had been used to attach the soles, and I have had the ivory keys of my piano replaced by plastic ones. It is only by waging relentless war against hypocrisy and brutality that we can hope to educate the people of the world to a better understanding of animals.

One day, Miss Bavistock's pet otter kills her father, and she is greatly upset when public opinion forces her to give the animal to a zoo. Her life becomes empty and lonely, for "once you have owned an otter, nothing will take its place." The loss of the father is borne with equanimity. Then Omar enters her life, and he more than compensates for the otter. Omar is a bandersnatch. Miss Bavistock is surprised to learn (as the reader must be) that bandersnatches actually exist outside of Lewis Carroll, although, according to the Britannica she consults, they are "rarely to be seen in captivity." (Miss Bavistock's bandersnatch looks like a badger in the illustrations, by John Verney.) Omar becomes docile and friendly, and as Miss Bavistock wins his trust and affection he grows increasingly engaging and intelligent. His intelligence is a bit alarming, though, for he begins to utter words and phrases (obscenities, mostly), and she begins to suspect that he knows how to read. Then one evening "I said to Omar [who had been ill], 'If only I knew what I could give you to get you right again!' Omar looked me squarely in the face and said, 'I believe a bottle or two of Châteauneuf du Pape '67 might do the trick.' "

After this high point, one fears that the book will go downhill, as books with talking animals in them are prone to, but Mr. Blunt's comic invention never flags. Another feat Mr. Blunt achieves is that he elicits the reader's sympathy for the narrator and the animal; the spinster and the bandersnatch are memorable characters. I would not be surprised if his genial comedy became a classic, and I am sure it will be read long after today's "black comedy" is mercifully forgotten. One gathers from Mr. Verney's black-and-white drawings that none of Mr. Blunt's humor was lost on *him*.

PAINFUL recollections fill the first half of "School Remembered," a rewarding two-part anthology com-

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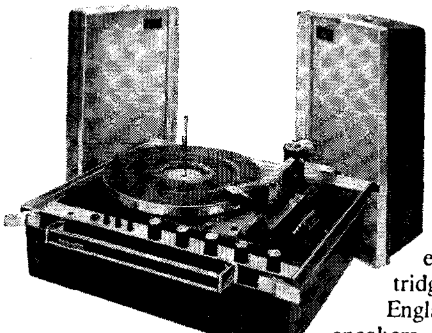

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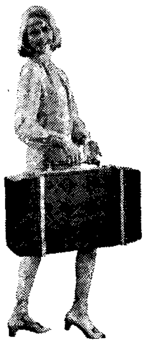

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piled and edited by Gillian Avery (Funk & Wagnalls). The selections are a chilling reminder—but one from which the people who are in despair about today's ghetto schools may perhaps take heart—that until quite recently almost *all* schools were a source of misery to the children who were sent to them. "I disliked school from the start," Edwin Muir recalls in an excerpt from his autobiography. He goes on to describe his feelings when, years later, he passed a school in Edinburgh on a bleak day: "I can give no idea of the dreariness of the scene; the earth bleared and wet; the dejected children. I seemed to see an enormous school, higher even than this one, and millions of children all over the world creeping toward it and disappearing into it." He remembers walking past his own school on a Sunday evening, and as he looked up at the windows "my head grew hot and tight, as if I had been shut in a clothes closet. This was the feeling which my first year at school gave me, a feeling of being shut in some narrow, clean, wooden place; it must be known to everyone who has attended a school, and the volume of misery it has caused will not bear thinking of." George Macdonald gives an account of a nineteenth-century village school run by an old woman who stands at a table in the middle of the room doing her ironing as the children sit in terrified silence (one of them tied to the legs of the table), watched by a fierce large dog. Leigh Hunt describes Christ's Hospital, where the pupils were flogged and underfed and "a boy might arrive at the age of fifteen in the grammar school and not know his multiplication table; which was the case with myself. Nor do I know it to this day!" George Orwell contributes the most effective writing in the anthology—the chapter from "A Clergyman's Daughter" in which Dorothy begins her job as a teacher in a dismal girls' school. The excerpt, unlike most excerpts from novels, doesn't raise questions that only a reading of the whole novel can answer; it is self-contained, and, I almost think, more powerful than the novel as a whole. Mrs. Creevy, the headmistress, presents Dorothy with three lists and warns her to

> "Make sure you know what girls are on which. Because I don't want you to go thinking that all the girls are to be treated alike. They aren't—not by a long way, they aren't. Different girls, different treatment—that's my system. Now do you see this lot on the first page?"
>
> "Yes," said Dorothy again.
>
> "Well, the parents of that lot are what

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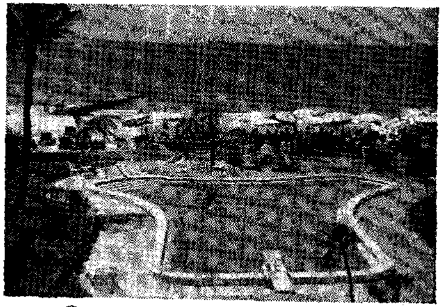

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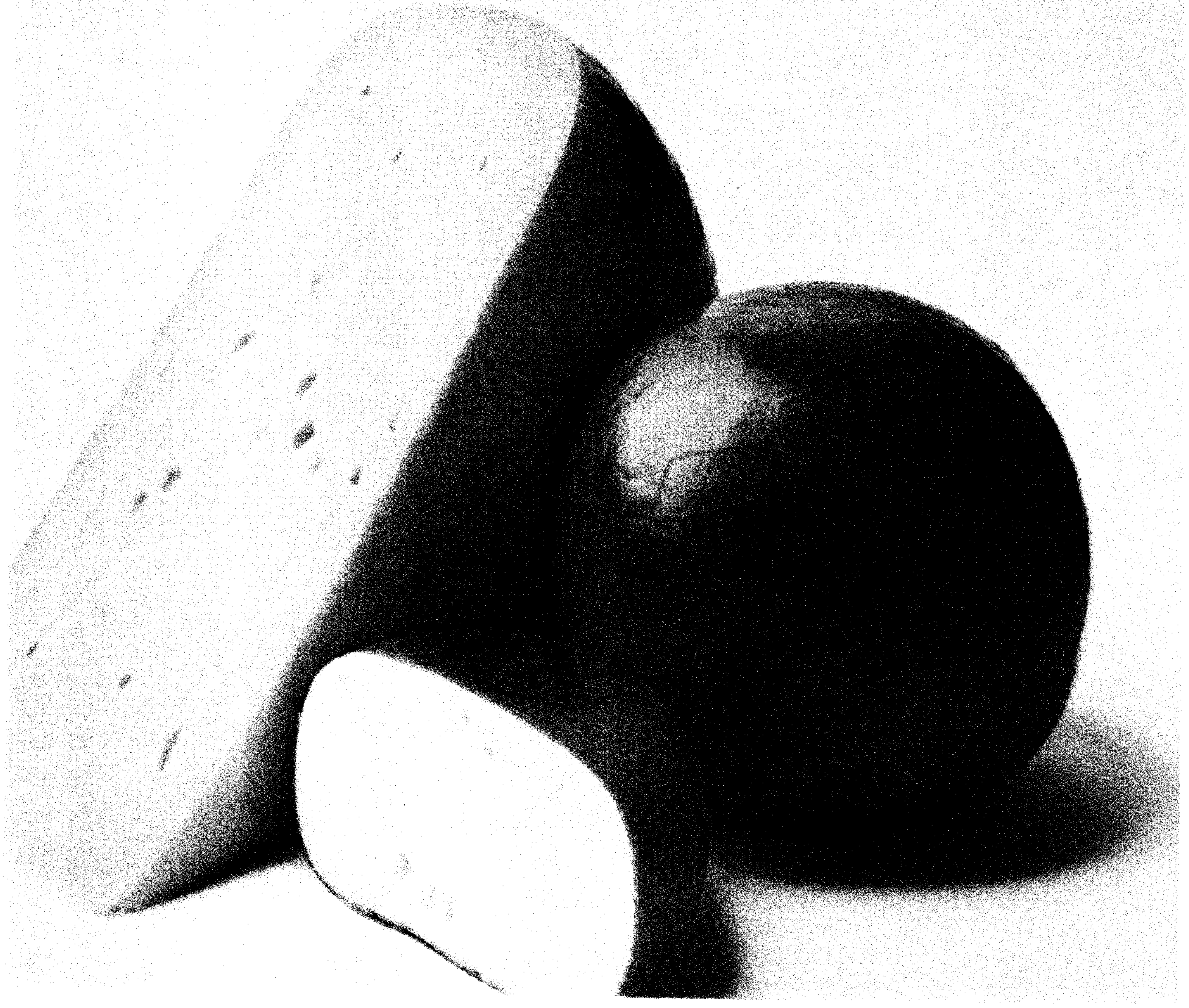

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I call the *good* payers. You know what I mean by that? They're the ones that pay cash on the nail and no jibbing at an extra half-guinea or so now and again. You're not to smack any of that lot, not on *any* account. This lot over here are the *medium* payers. Their parents do pay up sooner or later, but you don't get the money out of them without you worry them for it night and day. You can smack that lot if they get saucy, but don't go and leave a mark that their parents can see. . . . Now these three over here are the *bad* payers. Their fathers are two terms behind already and I'm thinking of a solicitors' letter. I don't care *what* you do to that lot—well, short of a police case, naturally. Now, shall I take you in and start you with the girls?"

The second half of the anthology is less depressing and for the most part less interesting. Some exceptions are passages from Anne Mansfield Sullivan's letters to the director of the Perkins Institute for the Blind, describing the slow and painful and wonderful early education of Helen Keller; from Booker T. Washington's "Up from Slavery," describing his struggles to get an education; and from A. S. Neill's "Summerhill." The "Summerhill" portions are particularly interesting in the light of the selections in the first part of the book, for they go a long way to explain why Summerhill, the paradise (or, if you prefer, parody) of permissiveness, came into existence. The school is the daydream of an unhappy schoolchild come true, though the actuality is probably beyond anything a nineteenth-century child would have thought possible. What impresses one about Neill, the school's founder and director, is not his ideas, which are the stalest Romantic commonplaces, but his character, which is very original. The likability, enthusiasm, kindness, and humor of the man come through in passages like this, with which his book is filled:

> I once brought forward (at a General School Meeting) a motion that swearing be abolished by law, and I gave my reason. I had been showing a woman around with her little boy, a prospective pupil. Suddenly from upstairs came a very strong adjective. The mother hastily gathered up her son and went off in a hurry. "Why," I asked at a meeting, "should my income suffer because some fathead swears in front of a prospective parent? It isn't a moral question at all; it is purely financial. You swear and I lose a pupil."
>
> My question was answered by a lad of fourteen. "Neill is talking rot," he said. "Obviously, if this woman was shocked, she didn't believe in Summerhill. Even if she had enrolled her boy, the first time he came home saying damn or hell, she would have taken him out of here."

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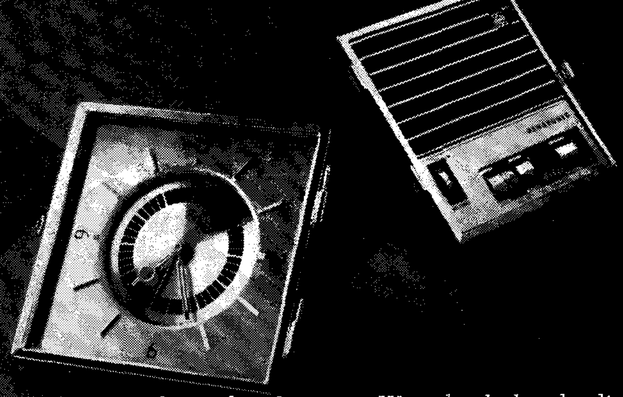

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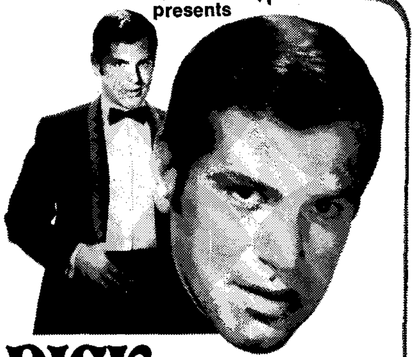
more than have been published in any other year. The fiction on the subject is as stilted as the "problem" fiction noted earlier, but several outstanding works of non-fiction—histories, biographies, and anthologies—offer the reader information he is not apt to get elsewhere. American Negro history has been so neglected that until recently it was all but unknown to everyone but a handful of scholars, and it is still far from widely known. How many people can tell us who James Forten was? I had not heard of him until I read Esther M. Douty's "Forten the Sailmaker" (Rand McNally). Forten was an extremely able Negro leader and a rich man. (It is a sad reflection on the history of American Negroes that the fact of Forten's wealth should be remarkable, but it obviously is.) He was born in Philadelphia in 1766, the son of a sailmaker and the grandson of a slave. After the Revolution, in which he served as powder boy on a privateer until his ship was captured, Forten spent several years in England; then he returned to Philadelphia and was apprenticed to a sailmaker. He was so gifted and enterprising that in two years he was foreman of the sail loft and ten years later became the owner of the business, thanks to Thomas Willing, a rich merchant who lent him the money to buy out the owner of the loft. Forten was active in Negro affairs in Philadelphia and was generous with his money, but it wasn't until 1813 that he achieved a significant gain for his people. He wrote a pamphlet entitled "A Series of Letters by a Man of Color," protesting a state registration bill that would have severely curtailed the rights of free Negroes in Pennsylvania. Largely because of his writings, which he printed and distributed at his own expense, the bill was defeated. His next battle, one that engaged him for many years, was with the American Colonization Society, which was established to promote and execute a scheme for a black resettlement in Africa, to which free Negroes were expected to joyfully emigrate. The free Negroes wanted nothing of the sort. Although many of the members of the Society were sincerely altruistic, others "wanted primarily to protect the slave trade. To them the presence of free Negroes threatened the institution of slavery itself. They feared that numbers of educated, successful, free Negroes would prove that black men were not inferior beings. If they were not inferior, there was no justification for holding them in slavery." Forten, who had originally



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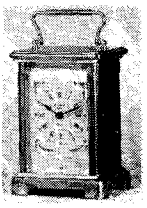

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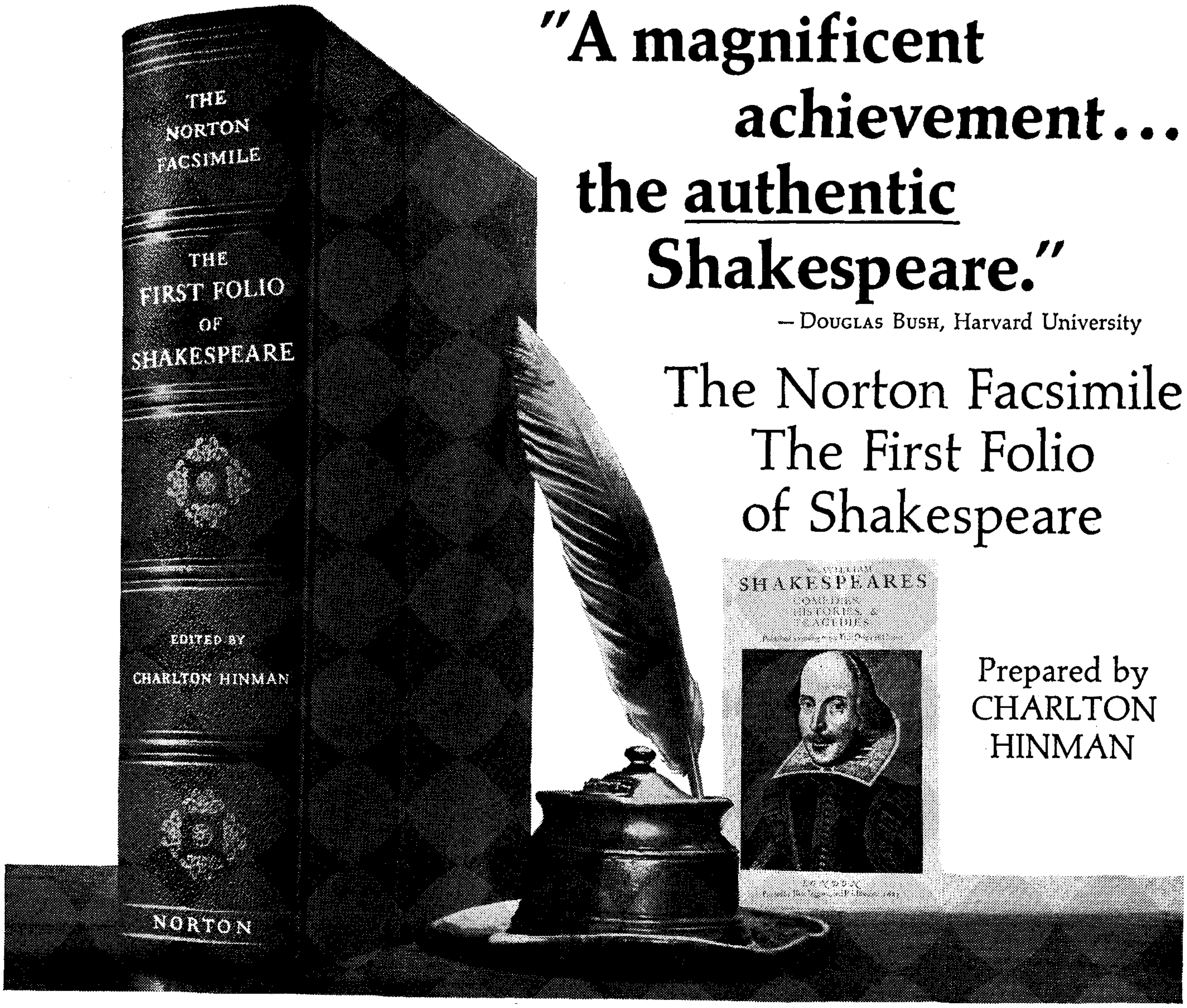
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been enthusiastic about a black settlement in Africa, led the fight against it. (The scheme never became a threat, not because of its opponents' efforts but because Congress refused to vote funds for it. A few settlers were recruited, and their descendants are today's Liberians.) Years later, Samuel J. May, the abolitionist and uncle of Louisa May Alcott, set down, in "Some Recollections of the Anti-Slavery Conflict," an account of a dinner he had attended at Forten's house in 1833. Mrs. Douty quotes this delightful passage:

> The Colonization scheme came up for consideration, and I shall never forget Mr. Forten's scathing satire: "Why, my great-grandfather was brought to this country as a slave from Africa. My grandfather obtained his own freedom. My father never wore the yoke ... [in the Revolution] I was taken prisoner and was made to suffer not a little on board the Jersey prison ship. I have since lived and labored in useful employment, have acquired property, and have paid taxes in this city. Here I have dwelt until I am nearly seventy years of age and have brought up and educated a family, as you see, thus far. Yet some ingenious gentlemen have recently discovered that I am still an African: that a continent three thousand miles and more from the place where I was born is my native country. And I am advised to go home. Well, it may be so. Perhaps if I should only be set on the shore of that distant land, I should recognize all I might see there, and run at once to the old hut where my forefathers lived."

James Forten would undoubtedly have been regarded by Malcolm X as one of "these fancy bourgeois Negroes" who, when "they get back home from the fancy 'integrated' cocktail parties, what do they do but kick off their shoes and talk about those white liberals they just left as if the liberals were dogs." The quotation is from Malcolm X's "Autobiography," and it appears in "Black on Black: Commentaries by Negro Americans," compiled by Arnold Adoff (Macmillan), a collection that "presents some of the best literature by Negro Americans written over the last hundred years," including Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Walter White, James Baldwin, Stokely Carmichael, Martin Luther King, Jr., Richard Wright, Dick Gregory, and Langston Hughes. Some of the sections are very good indeed. In "I Investigate Lynchings," Walter White brings wry humor to a subject one would have thought it impossible to be funny about. White had light skin and blue eyes, and this made it possible for him to go to Southern towns during the First World War and in the twenties to investigate

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lynchings for the N.A.A.C.P. "Nothing," he says, "contributes so much to the continued life of an investigator of lynchings and his tranquil possession of all his limbs as the obtuseness of the lynchers themselves." Arriving in a town where there has been a lynching, White drops into the store of a merchant who, he had been informed, was a leader of the mob.

As his manner became more and more friendly I ventured to mention guardedly the recent lynchings.

Instantly he became cautious—until I hinted that I had great admiration for the manly spirit the men of the town had exhibited. I mentioned the newspaper accounts I had read and confessed that I had never been so fortunate as to see a lynching. My words or tone seemed to disarm his suspicions. He offered me a box on which to sit, drew up another for himself, and gave me a bottle of Coca-Cola.

"You'll pardon me, Mister," he began, "for seeming suspicious but we have to be careful. In ordinary times we wouldn't have anything to worry about, but with the war there's been some talk of the federal government looking into lynchings. It seems there's some sort of law during wartime making it treason to lower the manpower of the country."

Another fine piece of writing is a letter from W. E. B. Du Bois to a Negro boy who had written him to object to the word "Negro." Du Bois gently rebukes the boy for making "the all too common error of mistaking names for things," and asks, "Suppose we arose tomorrow morning and lo! instead of being 'Negroes' all the world called us 'Cheiropolidi'—do you really think this would make a vast and momentous difference to you and me? Would the Negro problem be suddenly and eternally settled? Would you be any less ashamed of being descended from a black man, or would your schoolmates feel any less superior to you? The feeling of inferiority is in you, not in any name."

Today's black leaders dispute this. In another anthology, "Chronicles of Negro Protest," compiled by Bradford Chambers (Parents' Magazine Press), Stokely Carmichael writes, "From birth, black people are told a set of lies about themselves. We are told that we are lazy—yet I drive through the Delta area in Mississippi and watch black people picking cotton in the hot sun for fourteen hours. We are told, 'If you work hard, you'll succeed'—but if that were true, black people would own this country. We are oppressed because we are black—not because we are ignorant, not because we are lazy, not because we're stupid (and got good rhythm), but because we're black." The editor of this anthology believes that "there is

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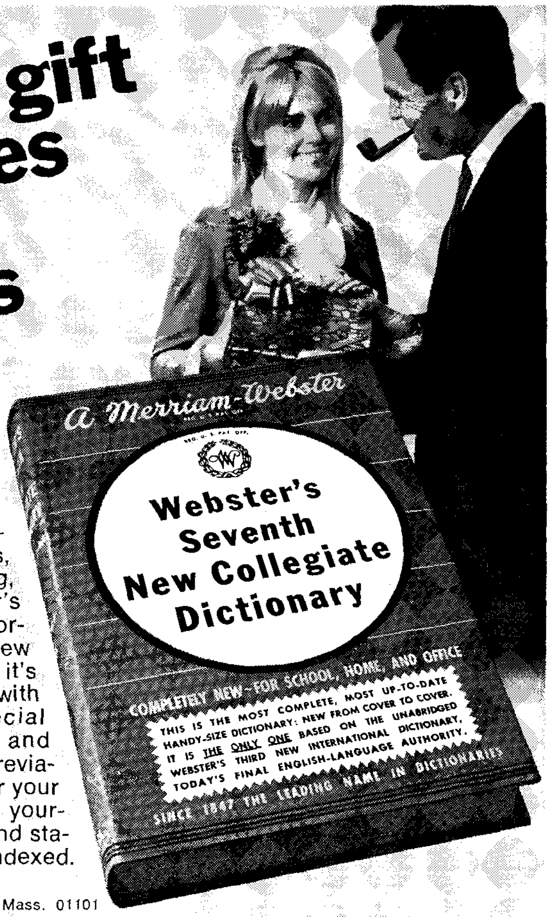
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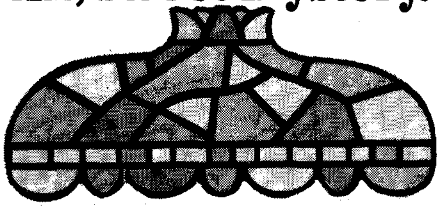
something inherent in the makeup of white America that denies the black man his humanity, no matter how extensive the legal changes," and the documents he presents (prefaced by thoughtful commentaries that are often longer than the documents) are intended to provide the reader with historical evidence. The first document is from the ninth chapter of Genesis, in which Noah curses Canaan and which slaveholders apparently used to justify themselves ("Noah's curse was held proof that slavery of Africans was not a crime against men but, rather, was the will of God himself"). The last is an essay, "A Fatal Flaw," by James A. Tillman, Jr., a Negro psychologist, and it is critical of the Riot Commission Report, which "is calculated to bamboozle unthinking and uncritical whites and blacks by recommending only programs designed to improve the physical lot of blacks." Dr. Tillman believes that "whites are mentally ill with respect to race and that white racism is a collective mental illness, which needs and requires systematic treatment." The "fatal flaw" in the Report is that it didn't recommend programs "to improve the mental and emotional health of whites." The documents in between include repressive Colonial statutes; a clause, deleted from the Declaration of Independence, that denounced the slave trade (the deletion was made "in complaisance to South Carolina and Georgia," Jefferson said); David Walker's passionate "Appeal" of 1828 protesting slavery; Thoreau's passionate and often incoherent "Plea for Captain John Brown;" Booker T. Washington's "Atlanta Compromise" speech, in which he said that "the agitation of questions of social equality is the extremest folly" and "the opportunity to earn a dollar in a factory just now is worth infinitely more than the opportunity to spend a dollar in an opera house;" W. E. B. Du Bois's "Of Mr. Booker T. Washington and Others," which effectively challenges Washington's notion that Negroes should sacrifice social equality for the sake of possible economic advantages ("Is it possible, and probable, that nine millions of men can make effective progress in economic lines if they are deprived of political rights, made a servile caste, and allowed only the most meagre chance for developing their exceptional men?"); Martin Luther King's exciting account of the Montgomery bus boycott; and "The Case for Black Separatism," by Robert S. Brown, who makes it hard to understand ("But the mere fact that the modalities of imple-

Ah, sweet mystery.



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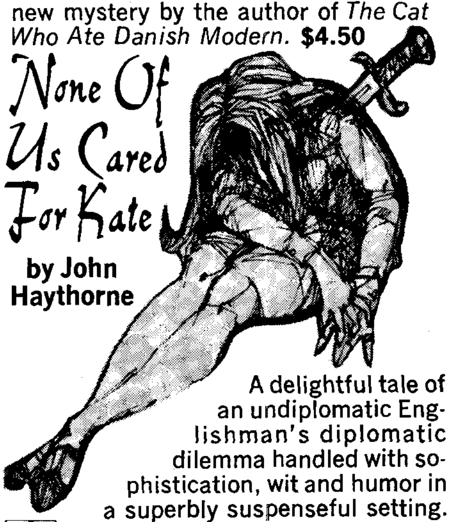

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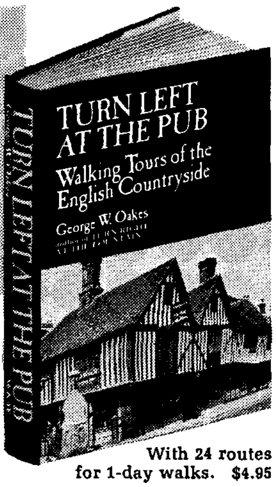

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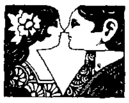

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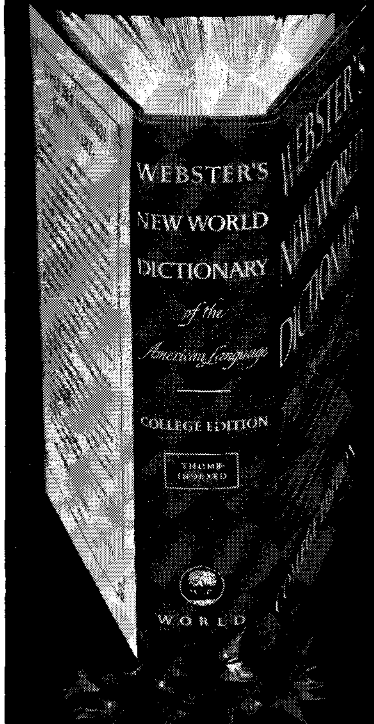
mentation are difficult to formulate is certainly no reason to prejudge the merits of the proposal and to dismiss it from consideration as a viable alternative if it seems to speak to the needs of a large segment of the population").

The documents leave the reader with much to think about, but they don't support the racist theory as conclusively as Mr. Chambers seems to feel they do. It may be true, as Mr. Chambers asserts, that "our forefathers, and their forefathers before them, firmly believed that Noah's curse showed that it was God's will that the black man be a slave," but reprinting the passage from the Bible scarcely proves Mr. Chambers' contention. A statement from a forefather would have been more to the point. In his commentary on Colonial slave statutes he seeks to correct a

> misconception of American Negro history . . . that a more or less idyllic period existed between the time of the landing of the Jamestown Negroes in 1619 and the enactment, some forty years later, of the first colonial statutes defining the black man as slave for life. . . . The inference is that the American forebears practiced racial equality and that a period of indeterminacy existed, following which—had the colonists been allowed to pursue their better instincts—the Negro might have been assimilated into the mainstream of American life. The historical justification for this interpretation has tremendous bearing on our times. Suppose it were true that American denial of the black man's humanity originated in statutes and laws designed to promote the interests of the colonial planters and other privileged classes; in that event there would be massive logic for the aims of the protest movement of the first half of the twentieth century, which directed its efforts toward breaking down legal barriers to racial equality.

Mr. Chambers quotes three brief statutes of the Virginia Assemblies, dated 1630, 1639, and 1646, as evidence that racism has always existed in this country. Again, though his assertion seems reasonable, his evidence for it is weak. But the question is an important one, and we must be grateful to Mr. Chambers for raising it in such a thoughtful and rational manner, even if his answer is inconclusive. So many people writing about the race problem today are writing nonsense—"Racism in America is . . . a way out for the frustrated and frightened who excuse economic, social, and sexual failure by convincing themselves that no matter how low they fall they are still higher and better than Harry Belafonte, Ralph Bunche, Cassius Clay, and Martin Luther King, Jr., all rolled up into one," to cite an example by Lerone Bennett, Jr., that appears in



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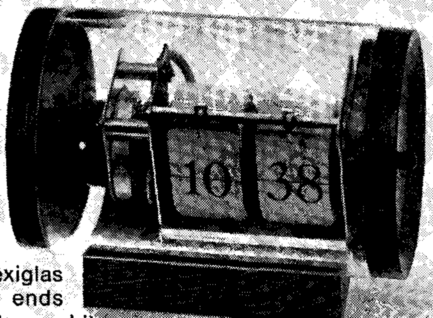

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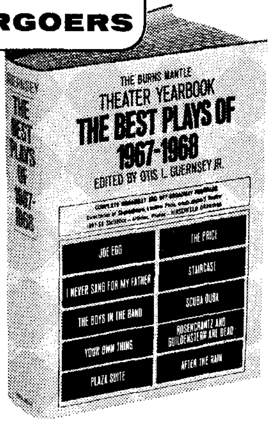

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the previously mentioned "Black on Black." There is no harm in this sort of inanity, but, like the picture books about sex, it is unlikely to impress a sensible child.

IN BRIEF: "Kävik the Wolf Dog," by Walt Morey (Dutton), is about a boy and a wolf dog, and "Rex," by Joyce Stranger (Viking), is about a boy and a border collie. The wolf dog travels two thousand miles to get back to the boy. The collie doesn't go that far, but he's splendid, too. "The Young Unicorns," by Madeleine L'Engle (Farrar, Straus & Giroux), is a didactic Chestertonian mystery story full of priests, hoodlums, scientists, Columbia professors, lasers, and nice children. It is set on Morningside Heights. In "The Flight of the Doves," by Walter Macken (Macmillan), an orphan boy and girl run away from their bad stepfather in England and try to find their way to a good grandmother, whose address they don't know, in Ireland, and they succeed because innocence and goodness can make just about anything possible. The hero of "The Snow Firing," by Joyce Gard (Holt, Rinehart & Winston), is a boy, but the novel—about pottery-making in the Cotswolds—is a girls' book, and a very pleasant one. "Sleep: The Mysterious Third of Your Life," by Jonathan and Marianna Kastner (Harcourt, Brace & World), offers the latest findings of "sleep scientists," which are interesting but make one wonder whether torturing animals is justified when nothing much depends on it. (A cat was kept for twenty hours on a brick surrounded by water, to satisfy one investigator's curiosity about the effects of lack of REM sleep; rats were obliged to walk on a waterwheel for twenty-seven days.) "Ants Are Fun," by Mildred Myrick; "I Am Better Than You!," by Robert Lopshire; and "The Rooftop Mystery," by Joan M. Lexau, are three redoubtable I Can Read Books published by Harper & Row. The narrator of "The Forgetful Robot," by Paul W. Fairman (Holt, Rinehart & Winston), is a robot named Barney, who is programmed to write a lot more intelligently than many of the other machines that produce children's books today.

—JANET MALCOLM

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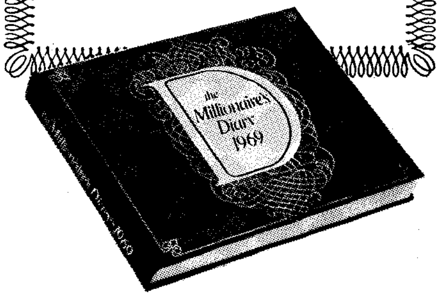

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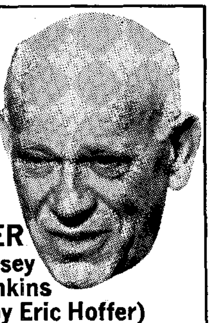

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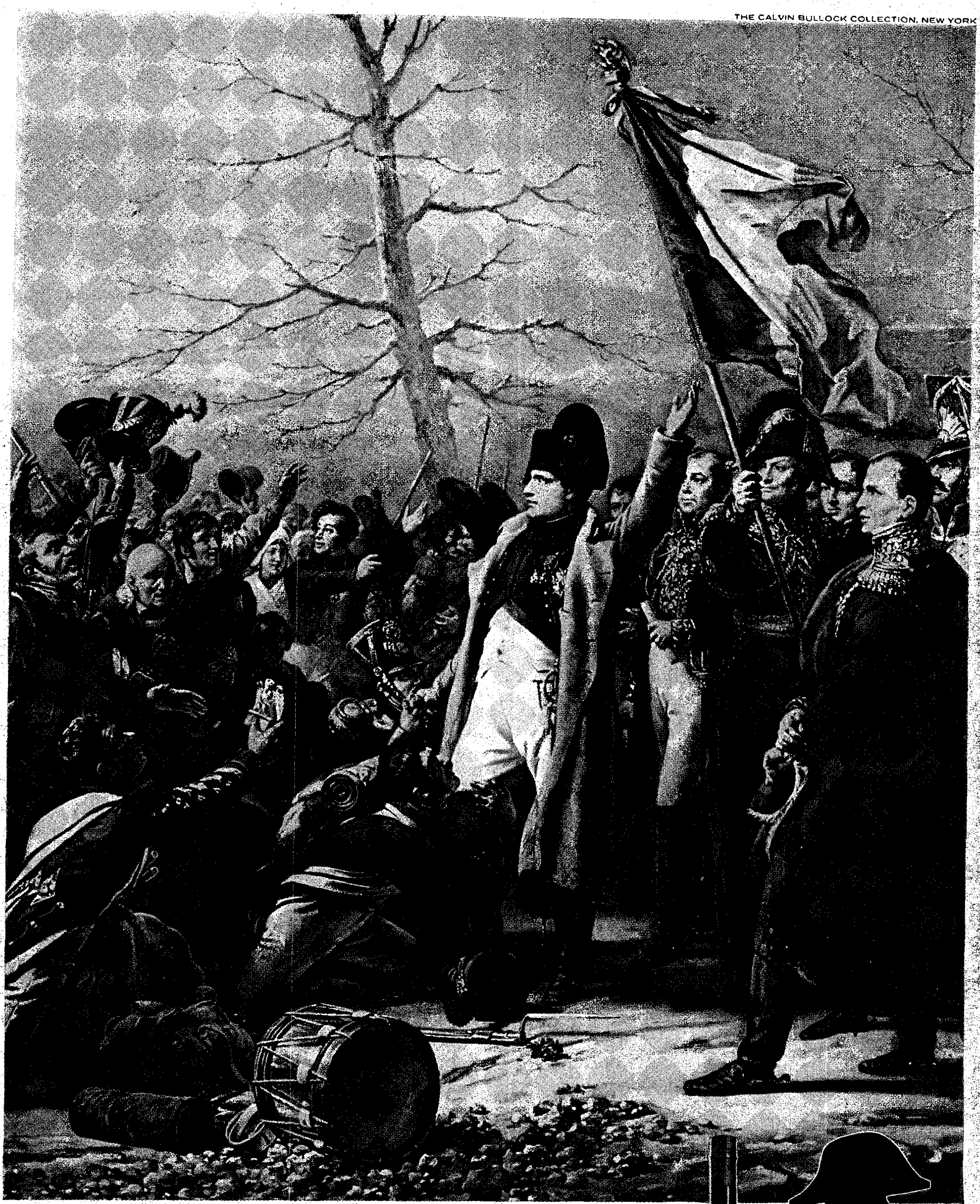

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